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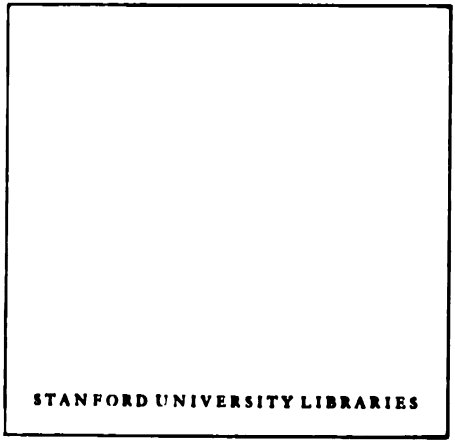

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ART. I.—*The Poetical Works of* JOHN DRYDEN. In 2 volumes. University Edition. London, 1826.

THE public voice has assigned to Dryden the first place in the second rank of our poets,—no mean station in a table of intellectual precedency so rich in illustrious names. It is allowed that, even of the few who were his superiors in genius, none has exercised a more extensive or permanent influence on the national habits of thought and expression. His life was commensurate with the period during which a great revolution in the public taste was effected; and in that revolution he played the part of Cromwell. By unscrupulously taking the lead in its wildest excesses, he obtained the absolute guidance of it. By trampling on laws, he acquired the authority of a legislator. By signalizing himself as the most daring and irreverent of rebels, he raised himself to the dignity of a recognised prince. He commenced his career by the most frantic outrages. He terminated it in the repose of established sovereignty,—the author of a new code, the root of a new dynasty.

Of Dryden, however, as of almost every man who has been distinguished either in the literary or in the political world, it may be said that the course which he pursued, and the effect which he produced, depended less on his personal qualities than on the circumstances in which he was placed. Those who have read history with discrimination, know the fallacy of those panegyrics and invectives, which represent individuals as effecting great moral and intellectual revolutions, subverting established systems, and imprinting a new character on their age. The difference between one man and another is by no means so great as the superstitious crowd supposes. But the same feelings

which, in ancient Rome, produced the apotheosis of a popular emperor, and, in modern Rome, the canonisation of a devout prelate, lead men to cherish an illusion which furnishes them with something to adore. By a law of association, from the operation of which even minds the most strictly regulated by reason are not wholly exempt, misery disposes us to hatred, and happiness to love, although there may be no person to whom our misery or our happiness can be ascribed. The peevishness of an invalid vents itself even on those who alleviate his pain. The good-humour of a man elated by success often displays itself towards enemies. In the same manner, the feelings of pleasure and admiration, to which the contemplation of great events gives birth, make an object where they do not find it. Thus, nations descend to the absurdities of Egyptian idolatry, and worship stocks and reptiles—Sacheverells and Wilkeses. They even fall prostrate before a deity to which they have themselves given the form which commands their veneration, and which, unless fashioned by them, would have remained a shapeless block. They persuade themselves that they are the creatures of what they have themselves created. For, in fact, it is the age that forms the man, not the man that forms the age. Great minds do indeed re-act on the society which has made them what they are; but they only pay with interest what they have received. We extol Bacon, and sneer at Aquinas. But, if their situations had been changed, Bacon might have been the Angelical Doctor, the most subtle Aristotelian of the schools; the Dominican might have led forth the sciences from their house of bondage. If Luther had been born in the tenth century, he would have effected no reformation. If he had never been born at all, it is evident that the sixteenth century could not have elapsed without a great schism in the church. Voltaire, in the days of Lewis the Fourteenth, would probably have been, like most of the literary men of that time, a zealous Jansenist, eminent among the defenders of efficacious grace, a bitter assailant of the lax morality of the Jesuits, and the unreasonable decisions of the Sorbonne. If Pascal had entered on his literary career, when intelligence was more general, and abuses at the same time more flagrant, when the church was polluted by the Iscariot Dubois, the court disgraced by the orgies of Canillac, and the nation sacrificed to the juggles of Law; if he had lived to see a dynasty of harlots, an empty treasury and a crowded harem, an army formidable only to those whom it should have protected, a priesthood just religious enough to be intolerant, he might possibly, like every man of genius in France, have imbibed extravagant prejudices against monarchy and Christianity. The wit which

blasted the sophisms of Escobar—the impassioned eloquence which defended the sisters of Port Royal—the intellectual hardihood which was not beaten down even by Papal authority, might have raised him to the Patriarchate of the Philosophical Church. It was long disputed whether the honour of inventing the method of Fluxions belonged to Newton or to Leibnitz. It is now generally allowed that these great men made the same discovery at the same time. Mathematical science, indeed, had then reached such a point, that if neither of them had ever existed, the principle must inevitably have occurred to some person within a few years. So in our own time the doctrine of rent, now universally received by political economists, was propounded, almost at the same moment, by two writers unconnected with each other. Preceding speculators had long been blundering round about it; and it could not possibly have been missed much longer by the most heedless inquirer. We are inclined to think that, with respect to every great addition which has been made to the stock of human knowledge, the case has been similar; that without Copernicus we should have been Copernicans,—that without Columbus America would have been discovered,—that without Locke we should have possessed a just theory of the origin of human ideas. Society indeed has its great men and its little men, as the earth has its mountains and its valleys. But the inequalities of intellect, like the inequalities of the surface of our globe, bear so small a proportion to the mass, that, in calculating its great revolutions, they may safely be neglected. The sun illuminates the hills, while it is still below the horizon; and truth is discovered by the highest minds a little before it becomes manifest to the multitude. This is the extent of their superiority. They are the first to catch and reflect a light, which, without their assistance, must, in a short time, be visible to those who lie far beneath them.

The same remark will apply equally to the fine arts. The laws on which depend the progress and decline of poetry, painting, and sculpture, operate with little less certainty than those which regulate the periodical returns of heat and cold, of fertility and barrenness. Those who seem to lead the public taste are, in general, merely outrunning it in the direction which it is spontaneously pursuing. Without a just apprehension of the laws to which we have alluded, the merits and defects of Dryden can be but imperfectly understood. We will, therefore, state what we conceive them to be.

The ages in which the master-pieces of imagination have been produced, have by no means been those in which taste has been most correct. It seems that the creative faculty, and the criti-

cal faculty, cannot exist together in their highest perfection. The causes of this phenomenon, it is not difficult to assign.

It is true, that the man who is best able to take a machine to pieces, and who most clearly comprehends the manner in which all its wheels and springs conduce to its general effect, will be the man most competent to form another machine of similar power. In all the branches of physical and moral science which admit of perfect analysis, he who can resolve will be able to combine. But the analysis which criticism can effect of poetry, is necessarily imperfect. One element must for ever elude its researches; and that is the very element by which poetry is poetry. In the description of nature, for example, a judicious reader will easily detect an incongruous image. But he will find it impossible to explain in what consists the art of a writer who, in a few words, brings some spot before him so vividly that he shall know it as if he had lived there from childhood; while another, employing the same materials, the same verdure, the same water, and the same flowers, committing no inaccuracy, introducing nothing which can be positively pronounced superfluous, omitting nothing which can be positively pronounced necessary, shall produce no more effect than an advertisement of a capital residence and a desirable pleasure-ground. To take another example, the great features of the character of Hotspur are obvious to the most superficial reader. We at once perceive that his courage is splendid, his thirst of glory intense, his animal spirits high, his temper careless, arbitrary, and petulant; that he indulges his own humour without caring whose feelings he may wound, or whose enmity he may provoke, by his levity. Thus far criticism will go. But something is still wanting. A man might have all those qualities, and every other quality which the most minute examiner can introduce into his catalogue of the virtues and faults of Hotspur, and yet he would not be Hotspur. Almost everything that we have said of him applies equally to Falconbridge. Yet, in the mouth of Falconbridge, most of his speeches would seem out of place. In real life, this perpetually occurs. We are sensible of wide differences between men whom, if we were required to describe them, we should describe in almost the same terms. If we were attempting to draw elaborate characters of them, we should scarcely be able to point out any strong distinction; yet we approach them with feelings altogether dissimilar. We cannot conceive of them as using the expressions or the gestures of each other. Let us suppose that a zoologist should attempt to give an account of some animal, a porcupine for instance, to people who had never seen it. The porcupine, he might say, is of the genus mam-

malia, and the order glires. There are whiskers on its face; it is two feet long; it has four toes before, five behind, two fore-teeth, and eight grinders. Its body is covered with hair and quills. And when all this had been said, would any one of the auditors have formed a just idea of a porcupine? Would any two of them have formed the same idea? There might exist innumerable races of animals, possessing all the characteristics which have been mentioned, yet altogether unlike to each other. What the description of our naturalist is to a real porcupine, the remarks of criticism are to the images of poetry. What it so imperfectly decomposes, it cannot perfectly re-construct. It is evidently as impossible to produce an Othello or a Macbeth by reversing an analytical process so defective, as it would be for an anatomist to form a living man out of the fragments of his dissecting-room. In both cases, the vital principle eludes the finest instruments, and vanishes in the very instant in which its seat is touched. Hence those who, trusting to their critical skill, attempt to write poems, give us, not images of things, but catalogues of qualities. Their characters are allegories; not good men and bad men, but cardinal virtues and deadly sins. We seem to have fallen among the acquaintances of our old friend Christian: sometimes we meet Mistrust and Timorous; sometimes Mr Hate-good and Mr Love-lust; and then again Prudence, Piety, and Charity.

That critical discernment is not sufficient to make men poets, is generally allowed. Why it should keep them from becoming poets, is not perhaps equally evident: But the fact is, that poetry requires not an examining, but a believing frame of mind. Those feel it most, and write it best, who forget that it is a work of art; to whom its imitations, like the realities from which they are taken, are subjects not for connoisseurship, but for tears and laughter, resentment and affection, who are too much under the influence of the illusion to admire the genius which has produced it; who are too much frightened for Ulysses in the cave of Polyphemus, to care whether the pun about Outis be good or bad; who forget that such a person as Shakspeare ever existed, while they weep and curse with Lear. It is by giving faith to the creations of the imagination that a man becomes a poet. It is by treating those creations as deceptions, and by resolving them, as nearly as possible, into their elements, that he becomes a critic. In the moment in which the skill of the artist is perceived, the spell of the art is broken.

These considerations account for the absurdities into which the greatest writers have fallen, when they have attempted to give general rules for composition, or to pronounce judgment on the

works of others. They are unaccustomed to analyse what they feel; they, therefore, perpetually refer their emotions to causes which have not in the slightest degree tended to produce them. They feel pleasure in reading a book. They never consider that this pleasure may be the effect of ideas, which some unmeaning expression, striking on the first link of a chain of associations, may have called up in their own minds—that they have themselves furnished to the author the beauties which they admire.

Cervantes is the delight of all classes of readers. Every schoolboy thumbs to pieces the most wretched translations of his romance, and knows the lantern jaws of the Knight Errant, and the broad cheeks of the Squire, as well as the faces of his own playfellows. The most experienced and fastidious judges are amazed at the perfection of that art which extracts inextinguishable laughter from the greatest of human calamities, without once violating the reverence due to it; at that discriminating delicacy of touch, which makes a character exquisitely ridiculous, without impairing its worth, its grace, or its dignity. In Don Quixote are several dissertations on the principles of poetic and dramatic writing. No passages in the whole work exhibit stronger marks of labour and attention; and no passages in any work with which we are acquainted, are more worthless and puerile. In our time they would scarcely obtain admittance into the literary department of the Morning Post. Every reader of the Divine Comedy must be struck by the veneration which Dante expresses for writers far inferior to himself. He will not lift up his eyes from the ground in the presence of Brunetto, all whose works are not worth the worst of his own hundred cantos. He does not venture to walk in the same line with the bombastic Statius. His admiration of Virgil is absolute idolatry. If indeed it had been excited by the elegant, splendid, and harmonious diction of the Roman poet, it would not have been altogether unreasonable; but it is rather as an authority on all points of philosophy, than as a work of imagination, that he values the Æneid. The most trivial passages he regards as oracles of the highest authority, and of the most recondite meaning. He describes his conductor as the sea of all wisdom—the sun which heals every disordered sight. As he judged of Virgil, the Italians of the fourteenth century judged of him; they were proud of him; they praised him; they struck medals bearing his head; they quarrelled for the honour of possessing his remains; they maintained professors to expound his writings. But what they admired was not that mighty imagination which called a new world into existence, and made all its sights and sounds familiar to the eye and ear of the mind. They said little of those awful

and lovely creations on which later critics delight to dwell—Farinata lifting his haughty and tranquil brow from his couch of everlasting fire—the lion-like repose of Sordello—or the light which shone from the celestial smile of Beatrice. They extolled their great poet for his smattering of ancient literature and history; for his logic and his divinity; for his absurd physics, and his more absurd metaphysics; for everything but that in which he pre-eminently excelled. Like the fool in the story, who ruined his dwelling by digging for gold, which, as he had dreamed, was concealed under its foundations, they laid waste one of the noblest works of human genius, by seeking in it for buried treasures of wisdom, which existed only in their own wild reveries. The finest passages were little valued till they had been debased into some monstrous allegory. Louder applause was given to the lecture on fate and free-will, or to the ridiculous astronomical theories, than to those tremendous lines which disclose the secrets of the tower of hunger; or to that half-told tale of guilty love, so passionate and so full of tears.

We do not mean to say, that the contemporaries of Dante read with less emotion than their descendants of Ugolino groping among the wasted corpses of his children, or of Francesca, starting at the tremulous kiss, and dropping the fatal volume. Far from it. We believe that they admired these things less than ourselves, but that they felt them more. We should perhaps say, that they felt them too much to admire them. The progress of a nation from barbarism to civilisation produces a change similar to that which takes place during the progress of an individual from infancy to mature age. What man does not remember with regret the first time that he read Robinson Crusoe? Then, indeed, he was unable to appreciate the powers of the writer; or rather, he neither knew nor cared whether the book had a writer at all. He probably thought it not half so fine as some rant of Macpherson about dark-browed Foldath, and white-bosomed Strinadona. He now values Fingal and Temora only as showing with how little evidence a story may be believed, and with how little merit a book may be popular. Of the romance of Defoe he entertains the highest opinion. He perceives the hand of a master in ten thousand touches, which formerly he passed by without notice. But though he understands the merits of the narrative better than formerly, he is far less interested by it. Xury, and Friday, and pretty Poll, the boat with the shoulder-of-mutton sail, and the canoe which could not be brought down to the water edge, the tent with its hedge and ladders, the preserve of kids, and the den where the old goat died, can never again be to him the realities which they were. The

days when his favourite volume set him upon making wheel-barrows and chairs, upon digging caves and fencing huts in the garden, can never return. Such is the law of our nature. Our judgment ripens, our imagination decays. We cannot at once enjoy the flowers of the spring of life, and the fruits of its autumn, the pleasures of close investigation, and those of agreeable error. We cannot sit at once in the front of the stage and behind the scenes. We cannot be under the illusion of the spectacle, while we are watching the movements of the ropes and pullies which dispose it.

The chapter in which Fielding describes the behaviour of Partridge at the theatre, affords so complete an illustration of our proposition, that we cannot refrain from quoting some parts of it.

'Partridge gave that credit to Mr Garrick which he had denied to Jones, and fell into so violent a trembling that his knees knocked against each other. Jones asked him what was the matter, and whether he was afraid of the warrior upon the stage?'—'O, la, sir,' said he, 'I perceive now it is what you told me. I am not afraid of anything, for I know it is but a play; and if it was really a ghost, it could do one no harm at such a distance and in so much company; and yet, if I was frightened, I am not the only person.'—'Why, who,' cries Jones, 'dost thou take to be such a coward here besides thyself?'—'Nay, you may call me a coward if you will; but if that little man there upon the stage is not frightened, I never saw any man frightened in my life.' . . . . He sat with his eyes fixed partly on the ghost and partly on Hamlet, and with his mouth open; the same passions which succeeded each other in Hamlet, succeeding likewise in him. . . . .

'Little more worth remembering occurred during the play, at the end of which Jones asked him which of the players he liked best. To this he answered, with some appearance of indignation at the question, 'The King, without doubt.'—'Indeed, Mr Partridge,' says Mrs Miller, 'you are not of the same opinion with the town; for they are all agreed that Hamlet is acted by the best player who was ever on the stage.'—'He the best player!' cries Partridge, with a contemptuous sneer; 'why I could act as well as he myself. I am sure, if I had seen a ghost, I should have looked in the very same manner, and done just as he did. And then, to be sure, in that scene, as you called it, between him and his mother, where you told me he acted so fine, why, any man, that is, any good man, that had such a mother, would have done exactly the same. I know you are only joking with me; but indeed, madam, though I never was at a play in London, yet I have seen acting before in the country, and the King for my money; he speaks all his words distinctly, and half as loud again as the other. Anybody may see he is an actor.'

In this excellent passage Partridge is represented as a very bad theatrical critic. But none of those who laugh at him possess the tithe of his sensibility to theatrical excellence. He admires in the wrong place; but he trembles in the right place.

It is indeed because he is so much excited by the acting of Garrick, that he ranks him below the strutting, mouthing performer, who personates the King. So, we have heard it said, that in some parts of Spain and Portugal, an actor who should represent a depraved character finely, instead of calling down the applauses of the audience, is hissed and pelted without mercy. It would be the same in England, if we, for one moment, thought that Shylock or Iago was standing before us. While the dramatic art was in its infancy at Athens, it produced similar effects on the ardent and imaginative spectators. It is said that they blamed Æschylus for frightening them into fits with his Furies. Herodotus tells us, that when Phrynichus produced his tragedy on the fall of Miletus, they fined him in a penalty of a thousand drachmas, for torturing their feelings by so pathetic an exhibition. They did not regard him as a great artist, but merely as a man who had given them pain. When they woke from the distressing illusion, they treated the author of it as they would have treated a messenger who should have brought them fatal and alarming tidings which turned out to be false. In the same manner, a child screams with terror at the sight of a person in an ugly mask. He has perhaps seen the mask put on. But his imagination is too strong for his reason, and he intreats that it may be taken off.

We should act in the same manner if the grief and horror produced in us by works of the imagination amounted to real torture. But in us these emotions are comparatively languid. They rarely affect our appetite or our sleep. They leave us sufficiently at ease to trace them to their causes, and to estimate the powers which produce them. Our attention is speedily diverted from the images which call forth our tears to the art by which those images have been selected and combined. We applaud the genius of the writer. We applaud our own sagacity and sensibility, and we are comforted.

Yet, though we think that in the progress of nations towards refinement, the reasoning powers are improved at the expense of the imagination, we acknowledge, that to this rule there are many apparent exceptions. We are not, however, quite satisfied that they are more than apparent. Men reasoned better, for example, in the time of Elizabeth than in the time of Egbert; and they also wrote better poetry. But we must distinguish between poetry as a mental act, and poetry as a species of composition. If we take it in the latter sense, its excellence depends, not solely on the vigour of the imagination, but partly also on the instruments which the imagination employs. Within certain limits, therefore, poetry may be improving, while the poetical faculty is

decaying. The vividness of the picture presented to the reader, is not necessarily proportioned to the vividness of the prototype which exists in the mind of the writer. In the other arts we see this clearly. Should a man, gifted by nature with all the genius of Canova, attempt to carve a statue without instruction as to the management of his chisel, or attention to the anatomy of the human body, he would produce something compared with which the Highlander at the door of a snuff-shop would deserve admiration. If an uninitiated Raphael were to attempt a painting, it would be a mere daub; indeed, the connoisseurs say, that the early works of Raphael are little better. Yet, who can attribute this to want of imagination? Who can doubt that the youth of that great artist was passed amidst an ideal world of beautiful and majestic forms? Or, who will attribute the difference which appears between his first rude essays, and his magnificent Transfiguration, to a change in the constitution of his mind? In poetry, as in painting and sculpture, it is necessary that the imitator should be well acquainted with that which he undertakes to imitate, and expert in the mechanical part of his art. Genius will not furnish him with a vocabulary: it will not teach him what word most exactly corresponds to his idea, and will most fully convey it to others: it will not make him a great descriptive poet, till he has looked with attention on the face of nature; or a great dramatist, till he has felt and witnessed much of the influence of the passions. Information and experience are, therefore, necessary; not for the purpose of strengthening the imagination, which is never so strong as in people incapable of reasoning—savages, children, madmen, and dreamers; but for the purpose of enabling the artist to communicate his conceptions to others.

In a barbarous age the imagination exercises a despotic power. So strong is the perception of what is unreal, that it often overpowers all the passions of the mind, and all the sensations of the body. At first, indeed, the phantasm remains undivulged, a hidden treasure, a wordless poetry, an invisible painting, a silent music, a dream of which the pains and pleasures exist to the dreamer alone, a bitterness which the heart only knoweth, a joy with which a stranger intermeddleth not. The machinery, by which ideas are to be conveyed from one person to another, is as yet rude and defective. Between mind and mind there is a great gulf. The imitative arts do not exist, or are in their lowest state. But the actions of men amply prove, that the faculty which gives birth to those arts is morbidly active. It is not yet the inspiration of poets and sculptors; but it is the amusement of the day, the terror of the night, the fertile source of

wild superstitions. It turns the clouds into gigantic shapes, and the winds into doleful voices. The belief which springs from it is more absolute and undoubting than any which can be derived from evidence. It resembles the faith which we repose in our own sensations. Thus, the Arab, when covered with wounds, saw nothing but the dark eyes and the green kerchief of a beckoning Houri. The Northern warrior laughed in the pangs of death when he thought of the mead of Valhalla.

The first works of the imagination are, as we have said, poor and rude, not from the want of genius, but from the want of materials. Phidias could have done nothing with an old tree and a fish-bone, or Homer with the language of New-Holland.

Yet the effect of these early performances, imperfect as they must necessarily be, is immense. All deficiencies are supplied by the susceptibility of those to whom they are addressed. We all know what pleasure a wooden doll, which may be bought for sixpence, will afford to a little girl. She will require no other company. She will nurse it, dress it, and talk to it all day. No grown-up man takes half so much delight in one of the incomparable babies of Chantrey. In the same manner, savages are more affected by the rude compositions of their bards than nations more advanced in civilisation by the greatest masterpieces of poetry.

In process of time, the instruments by which the imagination works are brought to perfection. Men have not more imagination than their rude ancestors. We strongly suspect that they have much less. But they produce better works of imagination. Thus, up to a certain period, the diminution of the poetical powers is far more than compensated by the improvement of all the appliances and means of which those powers stand in need. Then comes the short period of splendid and consummate excellence. And then, from causes against which it is vain to struggle, poetry begins to decline. The progress of language, which was at first favourable, becomes fatal to it, and, instead of compensating for the decay of the imagination, accelerates that decay, and renders it more obvious. When the adventurer in the Arabian tale anointed one of his eyes with the contents of the magical box, all the riches of the earth, however widely dispersed, however sacredly concealed, became visible to him. But when he tried the experiment on both eyes, he was struck with blindness. What the enchanted elixir was to the sight of the body, language is to the sight of the imagination. At first it calls up a world of glorious illusions; but when it becomes too copious, it altogether destroys the visual power.

As the developement of the mind proceeds, symbols, instead of being employed to convey images, are substituted for them. Civilised men think, as they trade, not in kind, but by means of a circulating medium. In these circumstances, the sciences improve rapidly,and criticism among the rest; but poetry, in the highest sense of the word, disappears. Then comes the dotage of the fine arts, a second childhood, as feeble as the former, and far more hopeless. This is the age of critical poetry, of poetry by courtesy, of poetry to which the memory, the judgment, and the wit, contribute far more than the imagination. We readily allow, that many works of this description are excellent: we will not contend with those who think them more valuable than the great poems of an earlier period. We only maintain that they belong to a different species of composition, and are produced by a different faculty.

It is some consolation to reflect, that this critical school of poetry improves as the science of criticism improves; and, that the science of criticism, like every other science, is constantly tending towards perfection. As experiments are multiplied, principles are better understood.

In some countries, in our own, for example, there has been an interval between the downfall of the creative school and the rise of the critical, a period during which imagination has been in its decrepitude, and taste in its infancy. Such a revolutionary interregnum as this will be deformed by every species of extravagance.

The first victory of good taste is over the bombast and conceits which deform such times as these. But criticism is still in a very imperfect state. What is accidental is for a long time confounded with what is essential. General theories are drawn from detached facts. How many hours the action of a play may be allowed to occupy,—how many similes an Epic Poet may introduce into his first book,—whether a piece, which is acknowledged to have a beginning and an end, may not be without a middle, and other questions as puerile as these, formerly occupied the attention of men of letters in France, and even in this country. Poets, in such circumstances as these, exhibit all the narrowness and feebleness of the criticism by which their manner has been fashioned. From outrageous absurdity they are preserved indeed by their timidity. But they perpetually sacrifice nature and reason to arbitrary canons of taste. In their eagerness to avoid the *mala prohibita* of a foolish code, they are perpetually rushing on the *mala in se*. Their great predecessors, it is true, were as bad critics as themselves, or perhaps worse: but those predeces-

sors, as we have attempted to show, were inspired by a faculty independent of criticism; and, therefore, wrote well while they judged ill.

In time men begin to take more rational and comprehensive views of literature. The analysis of poetry, which, as we have remarked, must at best be imperfect, approaches nearer and nearer to exactness. The merits of the wonderful models of former times are justly appreciated. The frigid productions of a later age are rated at no more than their proper value. Pleasing and ingenious imitations of the manner of the great masters appear. Poetry has a partial revival, a Saint Martin's Summer, which, after a period of dreariness and decay, agreeably reminds us of the splendour of its June. A second harvest is gathered in, though, growing on a spent soil, it has not the heart of the former. Thus, in the present age, Monti has successfully imitated the style of Dante; and something of the Elizabethan inspiration has been caught by several eminent countrymen of our own. But never will Italy produce another Inferno, or England another Hamlet. We look on the beauties of the modern imitations with feelings similar to those with which we see flowers disposed in vases, to ornament the drawing-rooms of a capital. We doubtless regard them with pleasure, with greater pleasure, perhaps, because, in the midst of a place ungenial to them, they remind us of the distant spots on which they flourish in spontaneous exuberance. But we miss the sap, the freshness, and the bloom. Or, if we may borrow another illustration from Queen Scheherezade, we would compare the writers of this school to the jewellers who were employed to complete the unfinished window of the palace of Aladdin. Whatever skill or cost could do was done. Palace and bazaar were ransacked for precious stones. Yet the artists, with all their dexterity, with all their assiduity, and with all their vast means, were unable to produce anything comparable to the wonders which a spirit of a higher order had wrought in a single night.

The history of every literature with which we are acquainted confirms, we think, the principles which we have laid down. In Greece we see the imaginative school of poetry gradually fading into the critical. Æschylus and Pindar were succeeded by Sophocles, Sophocles by Euripides, Euripides by the Alexandrian versifiers. Of these last, Theocritus alone has left compositions which deserve to be read. The splendid and grotesque fairy-land of the Old Comedy, rich with such gorgeous hues, peopled with such fantastic shapes, and vocal alternately with the sweetest peals of music and the loudest bursts of elvish laughter, disappeared for ever. The master-pieces of the New Comedy are

known to us by Latin translations of extraordinary merit. From these translations, and from the expressions of the ancient critics, it is clear that the original compositions were distinguished by grace and sweetness, that they sparkled with wit, and abounded with pleasing sentiment; but that the creative power was gone. Julius Cæsar called Terence a half Menander,—a sure proof that Menander was not a quarter Aristophanes.

The literature of the Romans was merely a continuation of the literature of the Greeks. The pupils started from the point at which their masters had, in the course of many generations, arrived. They thus almost wholly missed the period of original invention. The only Latin poets whose writings exhibit much vigour of imagination are Lucretius and Catullus. The Augustan age produced nothing equal to their finer passages.

In France, that licensed jester, whose jingling cap and motley coat concealed more genius than ever mustered in the saloon of Ninon or of Madame Géoffrin, was succeeded by writers as decorous and as tiresome as gentlemen-ushers.

The poetry of Italy and of Spain has undergone the same change. But nowhere has the revolution been more complete and violent than in England. The same person who, when a boy, had clapped his thrilling hands at the first representation of the Tempest, might, without attaining to a marvellous longevity, have lived to read the earlier works of Prior and Addison. The change, we believe, must, sooner or later, have taken place. But its progress was accelerated, and its character modified, by the political occurrences of the times, and particularly by two events, the closing of the theatres under the commonwealth, and the restoration of the House of Stewart.

We have said that the critical and poetical faculties are not only distinct, but almost incompatible. The state of our literature during the reigns of Elizabeth and James the First is a strong confirmation of this remark. The greatest works of imagination that the world has ever seen were produced at that period. The national taste, in the meantime, was to the last degree detestable. Alliterations, puns, antithetical forms of expression lavishly employed where no corresponding opposition existed between the thoughts expressed, strained allegories, pedantic allusions, everything, in short, quaint and affected, in matter and manner, made up what was then considered as fine writing. The eloquence of the bar, the pulpit, and the council-board, was deformed by conceits which would have disgraced the rhyming shepherds of an Italian academy. The King quibbled on the throne. We might, indeed, console ourselves by

reflecting that his Majesty was a fool. But the Chancellor quibbled in concert from the wool-sack: and the Chancellor was Francis Bacon. It is needless to mention Sidney and the whole tribe of Euphuists. For Shakspeare himself, the greatest poet that ever lived, falls into the same fault whenever he means to be particularly fine. While he abandons himself to the impulse of his imagination, his compositions are not only the sweetest and the most sublime, but also the most faultless that the world has ever seen. But as soon as his critical powers come into play, he sinks to the level of Cowley; or rather he does ill, what Cowley did well. All that is bad in his works is bad elaborately, and of malice aforethought. The only thing wanting to make them perfect was, that he should never have troubled himself with thinking whether they were good or not. Like the angels in Milton, he sinks 'with compulsion and laborious flight.' His natural tendency is upwards. That he may soar, it is only necessary that he should not struggle to fall. He resembled an American Cacique, who, possessing in unmeasured abundance the metals which in polished societies are esteemed the most precious, was utterly unconscious of their value, and gave up treasures more valuable than the imperial crowns of other countries, to secure some gaudy and far-fetched, but worthless bauble, a plated button, or a necklace of coloured glass.

We have attempted to show that, as knowledge is extended and as the reason developes itself, the imitative arts decay. We should, therefore, expect that the corruption of poetry would commence in the educated classes of society. And this, in fact, is almost constantly the case. The few great works of imagination which appear in a critical age, are, almost without exception, the works of uneducated men. Thus, at a time when persons of quality translated French romances, and when the Universities celebrated royal deaths in verses about Tritons and Fauns, a preaching tinker produced the Pilgrim's Progress. And thus a ploughman startled a generation which had thought Hayley and Beattie great poets, with the adventures of Tam O'Shanter. Even in the latter part of the reign of Elizabeth the fashionable poetry had degenerated. It retained few vestiges of the imagination of earlier times. It had not yet been subjected to the rules of good taste. Affectation had completely tainted madrigals and sonnets. The grotesque conceits, and the tuneless numbers of Donne were, in the time of James, the favourite models of composition at Whitehall and at the Temple. But though the literature of the Court was in its decay, the literature of the people was in its perfection. The Muses had taken sanctuary in the theatres, the haunts of a class whose taste

was not better than that of the Right Honourables and singular good Lords who admired metaphysical love-verses, but whose imagination retained all its freshness and vigour; whose censure and approbation might be erroneously bestowed, but whose tears and laughter were never in the wrong. The infection which had tainted lyric and didactic poetry had but slightly and partially touched the drama. While the noble and the learned were comparing eyes to burning-glasses, and tears to terrestrial globes, coyness to an enthymeme, absence to a pair of compasses, and an unrequited passion to the fortieth remainder-man in an entail, Juliet leaning from the balcony, and Miranda smiling over the chess-board, sent home many spectators, as kind and simple-hearted as the master and mistress of Fletcher's Ralpho, to cry themselves to sleep.

No species of fiction is so delightful to us as the old English drama. Even its inferior productions possess a charm not to be found in any other kind of poetry. It is the most lucid mirror that ever was held up to nature. The creations of the great dramatists of Athens produce the effect of magnificent sculptures, conceived by a mighty imagination, polished with the utmost delicacy, embodying ideas of ineffable majesty and beauty, but cold, pale, and rigid, with no bloom on the cheek, and no speculation in the eye. In all the draperies, the figures, and the faces, in the lovers and the tyrants, the Bacchanals and the Furies, there is the same marble chillness and deadness. Most of the characters of the French stage resemble the waxen gentlemen and ladies in the window of a perfumer, rouged, curled, and bedizened, but fixed in such stiff attitudes, and staring with eyes expressive of such utter unmeaningness, that they cannot produce an illusion for a single moment. In the English plays alone is to be found the warmth, the mellowness, and the reality of painting. We know the minds of the men and women, as we know the faces of the men and women of Vandyke.

The excellence of these works is in a great measure the result of two peculiarities, which the critics of the French school consider as defects,—from the mixture of tragedy and comedy, and from the length and extent of the action. The former is necessary to render the drama a just representation of a world, in which the laughers and the weepers are perpetually jostling each other,—in which every event has its serious and its ludicrous side. The latter enables us to form an intimate acquaintance with characters, with which we could not possibly become familiar during the few hours to which the unities restrict the poet. In this respect, the works of Shakspeare, in particular, are miracles of art. In a piece, which may be read aloud in three hours,

we see a character gradually unfold all its recesses to us. We see it change with the change of circumstances. The petulant youth rises into the politic and warlike sovereign. The profuse and courteous philanthropist sours into a hater and scorner of his kind. The tyrant is altered, by the chastening of affliction, into a pensive moralist. The veteran general, distinguished by coolness, sagacity, and self-command, sinks under a conflict between love, strong as death, and jealousy, cruel as the grave. The brave and loyal subject passes, step by step, to the extremities of human depravity. We trace his progress from the first dawnings of unlawful ambition, to the cynical melancholy of his impenitent remorse. Yet, in these pieces, there are no unnatural transitions. Nothing is omitted: nothing is crowded. Great as are the changes, narrow as is the compass within which they are exhibited, they shock us as little as the gradual alterations of those familiar faces which we see every evening and every morning. The magical skill of the poet resembles that of the Dervise in the Spectator, who condensed all the events of seven years into the single moment during which the king held his head under the water.

It is deserving of remark, that at the time of which we speak, the plays even of men not eminently distinguished by genius,—such, for example, as Jonson, were far superior to the best works of imagination in other departments. Therefore, though we conceive that, from causes which we have already investigated, our poetry must necessarily have declined, we think that, unless its fate had been accelerated by external attacks, it might have enjoyed an euthanasia, that genius might have been kept alive by the drama, till its place could, in some degree, be supplied by taste,—that there would have been scarcely any interval between the age of sublime invention, and that of agreeable imitation. The works of Shakspeare, which were not appreciated with any degree of justice before the middle of the eighteenth century, might then have been the recognised standards of excellence during the latter part of the seventeenth; and he and the great Elizabethan writers might have been almost immediately succeeded by a generation of poets similar to those who adorn our own times.

But the Puritans drove imagination from its last asylum. They prohibited theatrical representations, and stigmatised the whole race of dramatists as enemies of morality and religion. Much that is objectionable may be found in the writers whom they reprobated; but whether they took the best measures for stopping the evil, appears to us very doubtful, and must, we think, have appeared doubtful to themselves, when, after the lapse of a few

years, they saw the unclean spirit whom they had cast out return to his old haunts, with seven others fouler than himself.

By the extinction of the drama, the fashionable school of poetry,—a school without truth of sentiment or harmony of versification,—without the powers of an earlier, or the correctness of a later age,—was left to enjoy undisputed ascendency. A vicious ingenuity, a morbid quickness to perceive resemblances and analogies between things apparently heterogeneous, constituted almost its only claim to admiration. Suckling was dead. Milton was absorbed in political and theological controversy. If Waller differed from the Cowleian sect of writers, he differed for the worse. He had as little poetry as they, and much less wit; nor is the languor of his verses less offensive than the ruggedness of theirs. In Denham alone the faint dawn of a better manner was discernible.

But, low as was the state of our poetry during the civil war and the Protectorate, a still deeper fall was at hand. Hitherto our literature had been idiomatic. In mind as in situation, we had been islanders. The revolutions in our taste, like the revolutions in our Government, had been settled without the interference of strangers. Had this state of things continued, the same just principles of reasoning, which, about this time, were applied with unprecedented success to every part of philosophy, would soon have conducted our ancestors to a sounder code of criticism. There were already strong signs of improvement. Our prose had at length worked itself clear from those quaint conceits which still deformed almost every metrical composition. The parliamentary debates, and the diplomatic correspondence of that eventful period, had contributed much to this reform. In such bustling times, it was absolutely necessary to speak and write to the purpose. The absurdities of Puritanism had, perhaps, done more. At the time when that odious style, which deforms the writings of Hall and of Lord Bacon, was almost universal, had appeared that stupendous work, the English Bible,—a book which, if everything else in our language should perish, would alone suffice to show the whole extent of its beauty and power. The respect which the translators felt for the original, prevented them from adding any of the hideous decorations then in fashion. The ground-work of the version, indeed, was of an earlier age. The familiarity with which the Puritans, on almost every occasion, used the Scriptural phrases, was no doubt very ridiculous; but it produced good effects. It was a cant; but it drove out a cant far more offensive.

The highest kind of poetry is, in a great measure, independent of those circumstances which regulate the style of composition

in prose. But with that inferior species of poetry which succeeds to it, the case is widely different. In a few years, the good sense and good taste which had weeded out affectation from moral and political treatises, would, in the natural course of things, have effected a similar reform in the sonnet and the ode. The rigour of the victorious sectaries had relaxed. A dominant religion is never ascetic. The government connived at theatrical representations. The influence of Shakspeare was once more felt. But darker days were approaching. A foreign yoke was to be imposed on our literature. Charles, surrounded by the companions of his long exile, returned to govern a nation which ought never to have cast him out, or never to have received him back. Every year which he had passed among strangers, had rendered him more unfit to rule his countrymen. In France he had seen the refractory magistracy humbled, and royal prerogative, though exercised by a foreign priest in the name of a child, victorious over all opposition. This spectacle naturally gratified a prince to whose family the opposition of Parliaments had been so fatal. Politeness was his solitary good quality. The insults which he had suffered in Scotland, had taught him to prize it. The effeminacy and apathy of his disposition, fitted him to excel in it. The elegance and vivacity of the French manners, fascinated him. With the political maxims, and the social habits of his favourite people, he adopted their taste in composition; and, when seated on the throne, soon rendered it fashionable, partly by direct patronage, but still more by that contemptible policy which, for a time, made England the last of the nations, and raised Lewis the Fourteenth to a height of power and fame, such as no French sovereign had ever before attained.

It was to please Charles that rhyme was first introduced into our plays. Thus, a rising blow, which would at any time have been mortal, was dealt to the English Drama, then just recovering from its languishing condition. Two detestable manners, the indigenous and the imported, were now in a state of alternate conflict and amalgamation. The bombastic meanness of the new style was blended with the ingenious absurdity of the old; and the mixture produced something which the world had never before seen, and which, we hope, it will never see again,—something, by the side of which the worst nonsense of all other ages appears to advantage,—something, which those who have attempted to caricature it, have, against their will, been forced to flatter,—of which the tragedy of Bayes is a very favourable specimen. What Lord Dorset observed to Edward Howard, might have been addressed to almost all his contemporaries:—

> 'As skilful divers to the bottom fall,
> Swifter than those who cannot swim at all;
> So, in this way of writing without thinking,
> Thou hast a strange alacrity in sinking.'

From this reproach some clever men of the world must be excepted, and among them Dorset himself. Though by no means great poets, or even good versifiers, they always wrote with meaning, and sometimes with wit. Nothing indeed more strongly shows to what a miserable state literature had fallen, than the immense superiority which the occasional rhymes, carelessly thrown on paper by men of this class, possess over the elaborate productions of almost all the professed authors. The reigning taste was so bad, that the success of a writer was in inverse proportion to his labour, and to his desire of excellence. An exception must be made for Butler, who had as much wit and learning as Cowley, and who knew, what Cowley never knew, how to use them. A great command of good homely English distinguishes him still more from the other writers of the time. As for Gondibert, those may criticise it who can read it. Imagination was extinct. Taste was depraved. Poetry, driven from palaces, colleges, and theatres, had found an asylum in the obscure dwelling, where a Great Man, born out of due season, in disgrace, penury, pain, and blindness, still kept uncontaminated a character and a genius worthy of a better age.

Everything about Milton is wonderful; but nothing is so wonderful as that, in an age so unfavourable to poetry, he should have produced the greatest of modern epic poems. We are not sure that this is not in some degree to be attributed to his want of sight. The imagination is notoriously most active when the external world is shut out. In sleep its illusions are perfect. They produce all the effect of realities. In darkness its visions are always more distinct than in the light. Every person who amuses himself with what is called building castles in the air, must have experienced this. We know artists, who, before they attempt to draw a face from memory, close their eyes, that they may recall a more perfect image of the features and the expression. We are therefore inclined to believe, that the genius of Milton may have been preserved from the influence of times so unfavourable to it, by his infirmity. Be this as it may, his works at first enjoyed a very small share of popularity. To be neglected by his contemporaries was the penalty which he paid for surpassing them. His great poem was not generally studied or admired, till writers far inferior to him had, by obsequiously cringing to the public taste, acquired sufficient favour to reform it.

Of these, Dryden was the most eminent. Amidst the crowd of authors who, during the earlier years of Charles the Second, courted notoriety by every species of absurdity and affectation, he speedily became conspicuous. No man exercised so much influence on the age. The reason is obvious. On no man did the age exercise so much influence. He was perhaps the greatest of those whom we have designated as the critical poets; and his literary career exhibited, on a reduced scale, the whole history of the school to which he belonged,—the rudeness and extravagance of its infancy,—the propriety,—the grace,—the dignified good sense,—the temperate splendour of its maturity. His imagination was torpid, till it was awakened by his judgment. He began with quaint parallels, and empty mouthing. He gradually acquired the energy of the satirist, the gravity of the moralist, the rapture of the lyric poet. The revolution through which English literature has been passing, from the time of Cowley to that of Scott, may be seen in miniature within the compass of his volumes.

His life divides itself into two parts. There is some debatable ground on the common frontier; but the line may be drawn with tolerable accuracy. The year 1678 is that on which we should be inclined to fix as the date of a great change in his manner. During the preceding period appeared some of his courtly panegyrics,—his Annus Mirabilis, and most of his plays; indeed, all his rhyming tragedies. To the subsequent period belong his best dramas,—All for Love, The Spanish Friar, and Sebastian,—his satires, his translations, his didactic poems, his fables, and his odes.

Of the small pieces which were presented to chancellors and princes, it would scarcely be fair to speak. The greatest advantage which the Fine Arts derive from the extension of knowledge is, that the patronage of individuals becomes unnecessary. Some writers still affect to regret the age of patronage. None but bad writers have reason to regret it. It is always an age of general ignorance. Where ten thousand readers are eager for the appearance of a book, a small contribution from each makes up a splendid remuneration for the author. Where literature is a luxury, confined to few, each of them must pay high. If the Empress Catherine, for example, wanted an epic poem, she must have wholly supported the poet;—just as, in a remote country village, a man who wants a mutton-chop is sometimes forced to take the whole sheep;—a thing which never happens where the demand is large. But men who pay largely for the gratification of their taste, will expect to have it united with some gratification to their vanity. Flattery is carried to a shameless

extent; and the habit of flattery almost inevitably introduces a false taste into composition. Its language is made up of hyperbolical common-places,—offensive from their triteness,—still more offensive from their extravagance. In no school is the trick of overstepping the modesty of nature so speedily acquired. The writer, accustomed to find exaggeration acceptable and necessary on one subject, uses it on all. It is not strange, therefore, that the early panegyrical verses of Dryden should be made up of meanness and bombast. They abound with the conceits which his immediate predecessors had brought into fashion. But his language and his versification were already far superior to theirs.

The Annus Mirabilis shows great command of expression, and a fine ear for heroic rhyme. Here its merits end. Not only has it no claim to be called poetry; but it seems to be the work of a man who could never, by any possibility, write poetry. Its affected similes are the best part of it. Gaudy weeds present a more encouraging spectacle than utter barrenness. There is scarcely a single stanza in this long work to which the imagination seems to have contributed anything. It is produced, not by creation, but by construction. It is made up, not of pictures, but of inferences. We will give a single instance, and certainly a favourable instance,—a quatrain which Johnson has praised. Dryden is describing the sea-fight with the Dutch.—

> 'Amidst whole heaps of spices lights a ball;
> And now their odours armed against them fly.
> Some preciously by shattered porcelain fall,
> And some by aromatic splinters die.'

The poet should place his readers, as nearly as possible, in the situation of the sufferers or the spectators. His narration ought to produce feelings similar to those which would be excited by the event itself. Is this the case here? Who, in a sea-fight, ever thought of the price of the china which beats out the brains of a sailor; or of the odour of the splinter which shatters his leg? It is not by an act of the imagination, at once calling up the scene before the interior eye, but by painful meditation,—by turning the subject round and round,—by tracing out facts into remote consequences, that these incongruous topics are introduced into the description. Homer, it is true, perpetually uses epithets which are not peculiarly appropriate. Achilles is the swift-footed, when he is sitting still. Ulysses is the much-enduring, when he has nothing to endure. Every spear casts a long shadow; every ox has crooked horns; and every woman a high bosom, though these particulars may be quite beside the purpose. In our old ballads a similar practice prevails. The gold is always

red, and the ladies always gay, though nothing whatever may depend on the hue of the gold, or the temper of the ladies. But these adjectives are mere customary additions. They merge in the substantives to which they are attached. If they at all colour the idea, it is with a tinge so slight as in no respect to alter the general effect. In the passage which we have quoted from Dryden the case is very different. *Preciously* and *aromatic* divert our whole attention to themselves, and dissolve the image of the battle in a moment. The whole poem reminds us of Lucan, and of the worst parts of Lucan,—the sea-fight in the Bay of Marseilles, for example. The description of the two fleets during the night is perhaps the only passage which ought to be exempted from this censure. If it was from the Annus Mirabilis that Milton formed his opinion, when he pronounced Dryden a good rhymer, but no poet, he certainly judged correctly. But Dryden was, as we have said, one of those writers, in whom the period of imagination does not precede, but follow, the period of observation and reflection.

His plays, his rhyming plays in particular, are admirable subjects for those who wish to study the morbid anatomy of the drama. He was utterly destitute of the power of exhibiting real human beings. Even in the far inferior talent, of composing characters out of those elements into which the imperfect process of our reason can resolve them, he was very deficient. His men are not even good personifications; they are not well-assorted assemblages of qualities. Now and then, indeed, he seizes a very coarse and marked distinction; and gives us, not a likeness, but a strong caricature, in which a single peculiarity is protruded, and everything else neglected; like the Marquis of Granby at an inn-door, whom we know by nothing but his baldness; or Wilkes, who is Wilkes only in his squint. These are the best specimens of his skill. For most of his pictures seem, like Turkey carpets, to have been expressly designed not to resemble anything in the heavens above, in the earth beneath, or in the waters under the earth.

The latter manner he practises most frequently in his tragedies, the former in his comedies. The comic characters are without mixture, loathsome and despicable. The men of Etherege and Vanbrugh are bad enough. Those of Smollett are perhaps worse. But they do not approach to the Celadons, the Wildbloods, the Woodalls, and the Rhodophils of Dryden. The vices of these last are set off by a certain fierce hard impudence, to which we know nothing comparable. Their love is the appetite of beasts; their friendship the confederacy of knaves. The ladies seem to have been expressly created to form helps meet for such

gentlemen. In deceiving and insulting their old fathers, they do not perhaps exceed the license which, by immemorial prescription, has been allowed to heroines. But they also cheat at cards, rob strong boxes, put up their favours to auction, betray their friends, abuse their rivals in the style of Billingsgate, and invite their lovers in the language of the Piazza. These, it must be remembered, are not the valets and waiting-women, the Mascarilles and Nerines, but the recognised heroes and heroines, who appear as the representatives of good society, and who, at the end of the fifth act, marry and live very happily ever after. The sensuality, baseness, and malice of their natures, is unredeemed by any quality of a different description,—by any touch of kindness,—or even by any honest burst of hearty hatred and revenge. We are in a world where there is no humanity, no veracity, no sense of shame,—a world for which any good-natured man would gladly take in exchange the society of Milton's devils. But as soon as we enter the regions of Tragedy, we find a great change. There is no lack of fine sentiment there. Metastasio is surpassed in his own department. Scuderi is out-scuderied. We are introduced to people whose proceedings we can trace to no motive,—of whose feelings we can form no more idea than of a sixth sense. We have left a race of creatures, whose love is as delicate and affectionate as the passion which an alderman feels for a turtle. We find ourselves among beings, whose love is a purely disinterested emotion,—a loyalty extending to passive obedience,—a religion, like that of the Quietists, unsupported by any sanction of hope or fear. We see nothing but despotism without power, and sacrifices without compensation.

We will give a few instances:—In Aurengzebe, Arimant, governor of Agra, falls in love with his prisoner Indamora. She rejects his suit with scorn; but assures him that she shall make great use of her power over him. He threatens to be angry.—She answers, very coolly:—

> 'Do not: your anger, like your love, is vain:
> Whene'er I please, you must be pleased again.
> Knowing what power I have your will to bend,
> I'll use it; for I need just such a friend.'

This is no idle menace. She soon brings a letter, addressed to his rival,—orders him to read it,—asks him whether he thinks it sufficiently tender,—and finally commands him to carry it himself. Such tyranny as this, it may be thought, would justify resistance. Arimant does indeed venture to remonstrate:—

> 'This fatal paper rather let me tear,
> Than, like Bellerophon, my sentence bear.'

The answer of the lady is incomparable:—

'You may; but 'twill not be your best advice;
'Twill only give me pains of writing twice.
You know you must obey me, soon or late.
Why should you vainly struggle with your fate?'

Poor Arimant seems to be of the same opinion. He mutters something about fate and free-will, and walks off with the billet-doux.

In the Indian Emperor, Montezuma presents Almeria with a garland as a token of his love, and offers to make her his queen. She replies:—

'I take this garland, not as given by you;
But as my merit's and my beauty's due;
As for the crown which you, my slave, possess,
To share it with you would but make me less.'

In return for such proofs of tenderness as these, her admirer consents to murder his two sons, and a benefactor, to whom he feels the warmest gratitude. Lyndaraxa, in the Conquest of Granada, assumes the same lofty tone with Abdelmelech. He complains that she smiles upon his rival.

'*Lynd.* And when did I my power so far resign,
That you should regulate each look of mine?
Abdel. Then, when you gave your love, you gave that power.
Lynd. 'Twas during pleasure—'tis revoked this hour.
Abdel. I'll hate you, and this visit is my last.
Lynd. Do, if you can: you know I hold you fast.'

That these passages violate all historical propriety; that sentiments, to which nothing similar was ever even affected except by the cavaliers of Europe, are transferred to Mexico and Agra, is a light accusation. We have no objection to a conventional world, an Illyrian puritan, or a Bohemian sea-port. While the faces are good, we care little about the back-ground. Sir Joshua Reynolds says, that the curtains and hangings in a historical painting ought to be, not velvet or cotton, but merely drapery. The same principle should be applied to poetry and romance. The truth of character is the first object; the truth of place and time is to be considered only in the second place. Puff himself could tell the actor to turn out his toes, and remind him that Keeper Hatton was a great dancer. We wish that, in our own time, a writer of a very different order from Puff had not too often forgotten human nature in the niceties of upholstery, millinery, and cookery.

We blame Dryden, not because the persons of his dramas are not Moors or Americans, but because they are not men and women;—not because love, such as he represents it, could not exist in a harem or in a wigwam; but because it could not exist anywhere. As is the love of his heroes, such are all their other

emotions. All their qualities, their courage, their generosity, their pride, are on the same colossal scale. Justice and prudence are virtues which can exist only in a moderate degree, and which change their nature and their name if pushed to excess. Of justice and prudence, therefore, Dryden leaves his favourites destitute. He did not care to give them what he could not give without measure. The tyrants and ruffians are merely the heroes altered by a few touches, similar to those which transformed the honest face of Sir Roger de Coverley into the Saracen's head. Through the grin and frown, the original features are still perceptible.

It is in the tragi-comedies that these absurdities strike us most. The two races of men, or rather the angels and the baboons, are there presented to us together. We meet in one scene with nothing but gross, selfish, unblushing, lying libertines of both sexes, who, as a punishment, we suppose, for their depravity, are condemned to talk nothing but prose. But as soon as we meet with people who speak in verse, we know that we are in society which would have enraptured the Cathos and Madelon of Moliere, in society for which Oroondates would have too little of the lover, and Clelia too much of the coquette.

As Dryden was unable to render his plays interesting by means of that which is the peculiar and appropriate excellence of the drama, it was necessary that he should find some substitute for it. In his comedies he supplied its place, sometimes by wit, but more frequently by intrigue, by disguises, mistakes of persons, dialogues at cross purposes, hair-breadth escapes, perplexing concealments, and surprising disclosures. He thus succeeded at least in making these pieces very amusing.

In his tragedies he trusted, and not altogether without reason, to his diction and his versification. It was on this account, in all probability, that he so eagerly adopted, and so reluctantly abandoned, the practice of rhyming in his plays. What is unnatural appears less unnatural in that species of verse, than in lines which approach more nearly to common conversation; and in the management of the heroic couplet, Dryden has never been equalled. It is unnecessary to urge any arguments against a fashion now universally condemned. But it is worthy of observation, that though Dryden was deficient in that talent which blank verse exhibits to the greatest advantage, and was certainly the best writer of heroic rhyme in our language, yet the plays which have, from the time of their first appearance, been considered as his best, are in blank verse. No experiment can be more decisive.

It must be allowed, that the worst even of the rhyming tra-

gedies, contains good description and magnificent rhetoric. But, even when we forget that they are plays, and, passing by their dramatic improprieties, consider them with reference to the language, we are perpetually disgusted by passages which it is difficult to conceive how any author could have written, or any audience have tolerated, rants in which the raving violence of the manner forms a strange contrast with the abject tameness of the thought. The author laid the whole fault on the audience, and declared, that when he wrote them, he considered them bad enough to please. This defence is unworthy of a man of genius, and, after all, is no defence. Otway pleased without rant; and so might Dryden have done, if he had possessed the powers of Otway. The fact is, that he had a tendency to bombast, which, though subsequently corrected by time and thought, was never wholly removed, and which showed itself in performances not designed to please the rude mob of the theatre.

Some indulgent critics have represented this failing as an indication of genius, as the profusion of unlimited wealth, the wantonness of exuberant vigour. To us it seems to bear a nearer affinity to the tawdriness of poverty, or the spasms and convulsions of weakness. Dryden surely had not more imagination than Homer, Dante, or Milton, who never fall into this vice. The swelling diction of Æschylus and Isaiah, resembles that of Almanzor and Maximin no more than the tumidity of a muscle resembles the tumidity of a boil. The former is symptomatic of health and strength, the latter of debility and disease. If ever Shakspeare rants, it is not when his imagination is hurrying him along, but when he is hurrying his imagination along,—when his mind is for a moment jaded,—when, as was said of Euripides, he resembles a lion, who excites his own fury by lashing himself with his tail. What happened to Shakspeare from the occasional suspension of his powers, happened to Dryden from constant impotence. He, like his confederate Lee, had judgment enough to appreciate the great poets of the preceding age, but not judgment enough to shun competition with them. He felt and admired their wild and daring sublimity. That it belonged to another age than that in which he lived, and required other talents than those which he possessed; that, in aspiring to emulate it, he was wasting, in a hopeless attempt, powers which might render him pre-eminent in a different career, was a lesson which he did not learn till late. As those knavish enthusiasts, the French prophets, courted inspiration, by mimicking the writhings, swoonings, and gaspings, which they considered as its symptoms, he attempted, by affected fits

of poetical fury, to bring on a real paroxysm; and, like them, he got nothing but his distortions for his pains.

Horace very happily compares those who, in his time, imitated Pindar, to the youth who attempted to fly to Heaven on waxen wings, and who experienced so fatal and ignominious a fall. His own admirable good sense preserved him from this error, and taught him to cultivate a style in which excellence was within his reach. Dryden had not the same self-knowledge. He saw that the greatest poets were never so successful as when they rushed beyond the ordinary bounds, and that some inexplicable good fortune preserved them from tripping even when they staggered on the brink of nonsense. He did not perceive that they were guided and sustained by a power denied to himself. They wrote from the dictation of the imagination, and they found a response in the imaginations of others. He, on the contrary, sat down to work himself, by reflection and argument, into a deliberate wildness, a rational frenzy.

In looking over the admirable designs which accompany the Faust, we have always been much struck by one which represents the wizard and the tempter riding at full speed. The demon sits on his furious horse as heedlessly as if he were reposing on a chair. That he should keep his saddle in such a posture, would seem impossible to any who did not know that he was secure in the privileges of a superhuman nature. The attitude of Faust, on the contrary, is the perfection of horsemanship. Poets of the first order might safely write as desperately as Mephistophiles rode. But Dryden, though admitted to communion with higher spirits, though armed with a portion of their power, and intrusted with some of their secrets, was of another race. What they might securely venture to do, it was madness in him to attempt. It was necessary that taste and critical science should supply his deficiencies.

We will give a few examples. Nothing can be finer than the description of Hector at the Grecian wall:—

> ὃ δ' ἄρ' ἔσθορε φαίδιμος Ἕκτωρ,
> Νυκτὶ θοῇ ἀτάλαντος ὑπώπια· λάμπε δὲ χαλκῷ
> Σμερδαλέῳ, τὸν ἕεστο περὶ χροΐ· δοιὰ δὲ χερσὶ
> Δοῦρ' ἔχεν· οὔπ' ἄν τις μιν ἐρυκάκοι ἀντιβολήσας,
> Νόσφι θεῶν, ὅτ' ἴσαλτο πύλας· πυρὶ δ' ὄσσε δεδήει·—
> Αὐτίκα δ' οἱ μὲν τεῖχος ὑπέρβασαν, οἱ δὲ κατ' ἀυτὰς
> Ποιητὰς ἐσέχυντο πύλας· Δαναοὶ δ' ἐφόβηθεν
> Νῆας ἀνὰ γλαφυράς· ὅμαδος δ' ἀλίαστος ὀτίχθη.

What daring expressions! Yet how significant! How picturesque! Hector seems to rise up in his strength and fury. The

gloom of night in his frown,—the fire burning in his eyes,—the javelins and the blazing armour,—the mighty rush through the gates and down the battlements,—the trampling and the infinite roar of the multitude, everything is with us;—everything is real.

Dryden has described a very similar event in Maximin; and has done his best to be sublime, as follows:—

> 'There with a forest of their darts he strove,
> And stood like Capaneus defying Jove;
> With his broad sword the boldest beating down,
> Till Fate grew pale, lest he should win the town,
> And turn'd the iron leaves of its dark book
> To make new dooms, or mend what it mistook.'

How exquisite is the imagery of the fairy-songs in the Tempest and the Midsummer Night's Dream; Ariel riding through the twilight on the bat, or sucking in the bells of flowers with the bee; or the little bower-women of Titania, driving the spiders from the couch of the Queen! Dryden truly said, that

> 'Shakespear's magic could not copied be;
> Within that circle none durst walk but he.'

It would have been well if he had not himself dared to step within the enchanted line, and drawn on himself a fate similar to that which, according to the old superstition, punished such presumptuous interference. The following lines are parts of the song of his fairies:—

> 'Merry, merry, merry, we sail from the East,
> Half-tippled at a rainbow feast.
> In the bright moonshine, while winds whistle loud,
> Tivy, tivy, tivy, we mount and we fly,
> All racking along in a downy white cloud;
> And lest our leap from the sky prove too far,
> We slide on the back of a new falling star,
> And drop from above
> In a jelly of love.'

These are very favourable instances. Those who wish for a bad one may read the dying speeches of Maximin, and may compare them with the last scenes of Othello and Lear.

If Dryden had died before the expiration of the first of the periods into which we have divided his literary life, he would have left a reputation, at best, little higher than that of Lee or Davenant. He would have been known only to men of letters; and by them he would have been mentioned as a writer who threw away, on subjects which he was incompetent to treat, powers which, judiciously employed, might have raised him [illegible] eminence, whose diction and whose numbers had sometimes [illegible] high merit, but all whose works were blemished by a [illegible] and by errors of gross negligence. A few of his prol[illegible]

epilogues might perhaps still have been remembered and quoted. In these little pieces, he early showed all the powers which afterwards rendered him the greatest of modern satirists. But during the latter part of his life, he gradually abandoned the drama. His plays appeared at longer intervals. He renounced rhyme in tragedy. His language became less turgid—his characters less exaggerated. He did not indeed produce correct representations of human nature; but he ceased to daub such monstrous chimeras as those which abound in his earlier pieces. Here and there passages occur worthy of the best ages of the British stage. The style which the drama requires, changes with every change of character and situation. He who can vary his manner to suit the variation, is the great dramatist; but he who excels in one manner only will, when that manner happens to be appropriate, appear to be a great dramatist; as the hands of a watch, which does not go, point right once in the twelve hours. Sometimes there is a scene of solemn debate. This a mere rhetorician may write as well as the greatest tragedian that ever lived. We confess that to us the speech of Sempronius in Cato seems very nearly as good as Shakspeare could have made it. But when the senate breaks up, and we find that the lovers and their mistresses, the hero, the villain, and the deputy-villain, all continue to harangue in the same style, we perceive the difference between a man who can write a play and a man who can write a speech. In the same manner, wit, a talent for description, or a talent for narration, may, for a time, pass for dramatic genius. Dryden was an incomparable reasoner in verse. He was conscious of his power; he was proud of it; and the authors of the Rehearsal justly charged him with abusing it. His warriors and princesses are fond of discussing points of amorous casuistry, such as would have delighted a Parliament of Love. They frequently go still deeper, and speculate on philosophical necessity and the origin of evil.

There were, however, some occasions which absolutely required this peculiar talent. Then Dryden was indeed at home. All his best scenes are of this description. They are all between men; for the heroes of Dryden, like many other gentlemen, can never talk sense when ladies are in company. They are all intended to exhibit the empire of reason over violent passion. We have two interlocutors, the one eager and impassioned, the other high, cool, and judicious. The composed and rational character gradually acquires the ascendency. His fierce companion is first inflamed to rage by his reproaches, then overawed by his equanimity, convinced by his arguments, and soothed by his persuasions. This is the case in the scene between Hec-

tor and Troilus, in that between Antony and Ventidius, and in that between Sebastian and Dorax. Nothing of the same kind in Shakspeare is equal to them, except the quarrel between Brutus and Cassius, which is worth them all three.

Some years before his death, Dryden altogether ceased to write for the stage. He had turned his powers in a new direction, with success the most splendid and decisive. His taste had gradually awakened his creative faculties. The first rank in poetry was beyond his reach, but he challenged and secured the most honourable place in the second. His imagination resembled the wings of an ostrich. It enabled him to run, though not to soar. When he attempted the highest flights, he became ridiculous; but while he remained in a lower region, he outstripped all competitors.

All his natural, and all his acquired powers, fitted him to found a good critical school of poetry. Indeed he carried his reforms too far for his age. After his death, our literature retrograded; and a century was necessary to bring it back to the point at which he left it. The general soundness and healthfulness of his mental constitution, his information of vast superficies, though of small volume, his wit scarcely inferior to that of the most distinguished followers of Donne, his eloquence, grave, deliberate, and commanding, could not save him from disgraceful failure as a rival of Shakspeare, but raised him far above the level of Boileau. His command of language was immense. With him died the secret of the old poetical diction of England,—the art of producing rich effects by familiar words. In the following century, it was as completely lost as the Gothic method of painting glass, and was but poorly supplied by the laborious and tesselated imitations of Mason and Gray. On the other hand, he was the first writer under whose skilful management the scientific vocabulary fell into natural and pleasing verse. In this department, he succeeded as completely as his contemporary Gibbons succeeded in the similar enterprise of carving the most delicate flowers from heart of oak. The toughest and most knotty parts of language became ductile at his touch. His versification in the same manner, while it gave the first model of that neatness and precision which the following generation esteemed so highly, exhibited, at the same time, the last examples of nobleness, freedom, variety of pause and cadence. His tragedies in rhyme, however worthless in themselves, had at least served the purpose of nonsense-verses: they had taught him all the arts of melody which the heroic couplet admits. For bombast, his prevailing vice, his new subjects gave little opportunity; his better taste gradually discarded it.

He possessed, as we have said, in a pre-eminent degree, the power of reasoning in verse; and this power was now peculiarly useful to him. His logic is by no means uniformly sound. On points of criticism, he always reasons ingeniously; and, when he is disposed to be honest, correctly. But the theological and political questions which he undertook to treat in verse, were precisely those which he understood least. His arguments, therefore, are often worthless. But the manner in which they are stated, is beyond all praise. The style is transparent. The topics follow each other in the happiest order. The objections are drawn up in such a manner, that the whole fire of the reply may be brought to bear on them. The circumlocutions which are substituted for technical phrases, are clear, neat, and exact. The illustrations at once adorn and elucidate the reasoning. The sparkling epigrams of Cowley, and the simple garrulity of the burlesque poets of Italy, are alternately employed, in the happiest manner, to give effect to what is obvious, or clearness to what is obscure.

His literary creed was catholic, even to latitudinarianism; not from any want of acuteness, but from a disposition to be easily satisfied. He was quick to discern the smallest glimpse of merit; he was indulgent even to gross improprieties, when accompanied by any redeeming talent. When he said a severe thing, it was to serve a temporary purpose,—to support an argument, or to tease a rival. Never was so able a critic so free from fastidiousness. He loved the old poets, especially Shakspeare. He admired the ingenuity which Donne and Cowley had so wildly abused. He did justice, amidst the general silence, to the memory of Milton. He praised to the skies the school-boy lines of Addison. Always looking on the fair side of every object, he admired extravagance, on account of the invention which he supposed it to indicate; he excused affectation in favour of wit; he tolerated even tameness, for the sake of the correctness which was its concomitant.

It was probably to this turn of mind, rather than to the more disgraceful causes which Johnson has assigned, that we are to attribute the exaggeration which disfigures the panegyrics of Dryden. No writer, it must be owned, has carried the flattery of dedication to a greater length. But this was not, we suspect, merely interested servility: it was the overflowing of a mind singularly disposed to admiration,—of a mind which diminished vices, and magnified virtues and obligations. The most adulatory of his addresses is that in which he dedicates the State of Innocence to Mary of Modena. Johnson thinks it strange that any man should use such language, without self-detestation. But

he has not remarked, that to the very same work is prefixed an eulogium on Milton, which certainly could not have been acceptable at the court of Charles the Second. Many years later, when Whig principles were in a great measure triumphant, Sprat refused to admit a monument of John Philips into Westminster Abbey—because, in the Epitaph, the name of Milton incidentally occurred. The walls of his church, he declared, should not be polluted by the name of a republican! Dryden was attached, both by principle and interest, to the Court. But nothing could deaden his sensibility to excellence. We are unwilling to accuse him severely, because the same disposition, which prompted him to pay so generous a tribute to the memory of a poet whom his patrons detested, hurried him into extravagance when he described a princess, distinguished by the splendour of her beauty, and the graciousness of her manners.

This is an amiable temper; but it is not the temper of great men. Where there is elevation of character, there will be fastidiousness. It is only in novels, and on tomb-stones, that we meet with people who are indulgent to the faults of others, and unmerciful to their own; and Dryden, at all events, was not one of these paragons. His charity was extended most liberally to others, but it certainly began at home. In taste he was by no means deficient. His critical works are, beyond all comparison, superior to any which had, till then, appeared in England. They were generally intended as apologies for his own poems, rather than as expositions of general principles; he, therefore, often attempts to deceive the reader by sophistry, which could scarcely have deceived himself. His dicta are the dicta not of a judge, but of an advocate;—often of an advocate in an unsound cause. Yet, in the very act of misrepresenting the laws of composition, he shows how well he understands them. But he was perpetually acting against his better knowledge. His sins were sins against light. He trusted, that what was bad would be pardoned for the sake of what was good. What was good, he took no pains to make better. He was not, like most persons who rise to eminence, dissatisfied even with his best productions. He had set up no unattainable standard of perfection, the contemplation of which might at once improve and mortify him. His path was not attended by an unapproachable mirage of excellence, for ever receding, and for ever pursued. He was not disgusted by the negligence of others, and he extended the same toleration to himself. His mind was of a slovenly character,—fond of splendour, but indifferent to neatness. Hence most of his writings exhibit the sluttish magnificence of a Russian noble, all vermin and diamonds, dirty linen and inestimable sables. Those faults

which spring from affectation, time and thought in a great measure removed from his poems. But his carelessness be retained to the last. If towards the close of his life he less frequently went wrong from negligence, it was only because long habits of composition rendered it more easy to go right. In his best pieces, we find false rhymes,—triplets, in which the third line appears to be a mere intruder, and, while it breaks the music, adds nothing to the meaning,—gigantic Alexandrines of fourteen and sixteen syllables, and truncated verses for which he never troubled himself to find a termination or a partner.

Such are the beauties and the faults which may be found in profusion throughout the later works of Dryden. A more just and complete estimate of his natural and acquired powers,—of the merits of his style and of its blemishes, may be formed from the Hind and Panther, than from any of his other writings. As a didactic poem, it is far superior to the Religio Laici. The satirical parts, particularly the character of Burnet, are scarcely inferior to the best passages in Absalom and Achitophel. There are, moreover, occasional touches of a tenderness which affects us more, because it is decent, rational, and manly, and reminds us of the best scenes in his tragedies. His versification sinks and swells in happy unison with the subject; and his wealth of language seems to be unlimited. Yet, the carelessness with which he has constructed his plot, and the innumerable inconsistencies into which he is every moment falling, detract much from the pleasure which such various excellence affords.

In Absalom and Achitophel he hit upon a new and rich vein, which he worked with signal success. The ancient satirists were the subjects of a despotic government. They were compelled to abstain from political topics, and to confine their attention to the frailties of private life. They might, indeed, sometimes venture to take liberties with public men,

'Quorum Flaminia tegitur cinis atque Latina.'

Thus Juvenal immortalised the obsequious senators, who met to decide the fate of the memorable turbot. His fourth satire frequently reminds us of the great political poem of Dryden; but it was not written till Domitian had fallen, and it wants something of the peculiar flavour, which belongs to contemporary invective alone. His anger has stood so long, that, though the body is not impaired, the effervescence, the first cream, is gone. Boileau lay under similar restraints; and, if he had been free from all restraint, would have been no match for our countryman.

The advantages which Dryden derived from the nature of his subject he improved to the very utmost. His manner is almost perfect. The style of Horace and Boileau is fit only for light

subjects. The Frenchman did indeed attempt to turn the theological reasonings of the Provincial Letters into verse, but with very indifferent success. The glitter of Pope is cold. The ardour of Persius is without brilliancy. Magnificent versification and ingenious combinations rarely harmonize with the expression of deep feeling. In Juvenal and Dryden alone we have the sparkle and the heat together. Those great satirists succeeded in communicating the fervour of their feelings to materials the most incombustible, and kindled the whole mass into a blaze, at once dazzling and destructive. We cannot, indeed, think, without regret, of the part which so eminent a writer as Dryden took in the disputes of that period. There was, no doubt, madness and wickedness on both sides. But there was liberty on the one, and despotism on the other. On this point, however, we will not dwell. At Talavera the English and French troops for a moment suspended their conflict, to drink of a stream which flowed between them. The shells were passed across from enemy to enemy without apprehension or molestation. We, in the same manner, would rather assist our political adversaries to drink with us of that fountain of intellectual pleasure, which should be the common refreshment of both parties, than disturb and pollute it with the havoc of unseasonable hostilities.

Macflecnoe is inferior to Absalom and Achitophel, only in the subject. In the execution it is even superior. But the greatest work of Dryden was the last, the Ode on Saint Cecilia's day. It is the master-piece of the second class of poetry, and ranks but just below the great models of the first. It reminds us of the Pedasus of Achilles—

ὅς, καὶ θνητὸς ἐὼν, ἕπετ' ἵπποις ἀθανάτοισι.

By comparing it with the impotent ravings of the heroic tragedies, we may measure the progress which the mind of Dryden had made. He had learned to avoid a too audacious competition with higher natures, to keep at a distance from the verge of bombast or nonsense, to venture on no expression which did not convey a distinct idea to his own mind. There is none of that 'darkness visible' of style which he had formerly affected, and in which the greatest poets only can succeed. Everything is definite, significant, and picturesque. His early writings resembled the gigantic works of those Chinese gardeners who attempt to rival nature herself, to form cataracts of terrific height and sound, to raise precipitous ridges of mountains, and to imitate in artificial plantations the vastness and the gloom of some primeval forest. This manner he abandoned; nor did he ever adopt the Dutch taste which Pope affected, the trim parterres, and the rectangular walks. He rather resembled our Kents and

Browns, who, imitating the great features of landscape without emulating them, consulting the genius of the place, assisting nature and carefully disguising their art, produced, not a Chamouni or a Niagara, but a Stowe or a Hagley.

We are, on the whole, inclined to regret that Dryden did not accomplish his purpose of writing an Epic poem. It certainly would not have been a work of the highest rank. It would not have rivalled the Iliad, the Odyssey, or the Paradise Lost; but it would have been superior to the productions of Apollonius, Lucan, or Statius, and not inferior to the Jerusalem Delivered. It would probably have been a vigorous narrative, animated with something of the spirit of the old romances, enriched with much splendid description, and interspersed with fine declamations and disquisitions. The danger of Dryden would have been from aiming too high; from dwelling too much, for example, on his angels of kingdoms, and attempting a competition with that great writer, who in his own time had so incomparably succeeded in representing to us the sights and sounds of another world. To Milton, and to Milton alone, belonged the secrets of the great deep, the beach of sulphur, the ocean of fire, the palaces of the fallen dominations, glimmering through the everlasting shade, the silent wilderness of verdure and fragrance where armed angels kept watch over the sleep of the first lovers, the portico of diamond, the sea of jasper, the sapphire pavement empurpled with celestial roses, and the infinite ranks of the Cherubim, blazing with adamant and gold. The council, the tournament, the procession, the crowded cathedral, the camp, the guard-room, the chase, were the proper scenes for Dryden.

But we have not space to pass in review all the works which Dryden wrote. We, therefore, will not speculate longer on those which he might possibly have written. He may, on the whole, be pronounced to have been a man possessed of splendid talents, which he often abused, and of a sound judgment, the admonitions of which he often neglected; a man who succeeded only in an inferior department of his art, but who, in that department, succeeded pre-eminently; and who, with a more independent spirit, a more anxious desire of excellence, and more respect for himself, would, in his own walk, have attained to absolute perfection.

ART. II.—1. *On the Nature of Aliments.* By Dr JOHN ARBUTHNOT. 8vo. London, 1731.
2. *A Treatise on Digestion.* By Dr FORDYCE. 8vo. London, 1791.
3. *On Local Diseases, including derangements of the Digestive Organs.* By J. ABERNETHY. 8vo. London, 1825.
4. *A Treatise on Indigestion and its Consequences.* By A. P. W. PHILIP, M.D. 8vo. London, 1826.
5. *A Treatise on Diet.* By J. A. PARIS, M.D. 8vo, pp. 405. London, 1827.
6. *Observations on the Morbid Sensibility of the Stomach and Bowels.* By J. JOHNSTONE. London, 1827.

CONSIDERING that the great business of nine-tenths of the human race is to get food to satisfy their hunger, and of half the remainder to get it to satisfy their palate, it might naturally be thought that the science which treats of food, either as to nutriment or salubrity, would be one of the first brought to perfection; and that Dietetics, undoubtedly the most interesting and apparently the simplest of all the branches of medicine, would be not only the earliest cultivated, but the soonest matured. The fact, however, is decidedly otherwise; and there are reasons enough to be discovered, on reflection, for it—as for most other facts. In the rude stages of society, the great difficulty is to get food enough; and the dietetical skill of those primitive times probably went little farther than to distinguish what was safe from what was absolutely poisonous, in substances appearing to be eatable. From the very first, too, the prodigious variety of substances on which men contrived to feed, must have made every estimate of their comparative merits, a task of no little complexity. Every other species of animal confines itself pretty rigidly to one kind of aliment; but man, in the most uncultivated state, not only takes a very wide range, but varies this still more by certain processes, however rude, of cookery. As civilization increases, he procures for himself new and varied sources of nourishment. All our varieties of grain were once little better than grasses, and have only been brought to their present state, by the assiduous culture of man. Our esculent vegetables, too, have all been improved by cultivation; and many plants, actually poisonous in their native state, have been converted into wholesome articles of diet. And thus men go on for ages, eating and inventing materials for eating, till at length their alimentary treasures are so accumulated—the refinements of the palate so multiplied—and the appetite so perplexed and solicited, that they are at last forced to reason and systematise on the subject,

and to inquire what they should eat, and what abstain from eating. Accordingly, innumerable systems of Dietetics have from time to time been given to the world; and we need scarcely say, even to the unlearned, in marvellous contradiction to each other.

Some, looking with an evil eye on the refinements of society, would bring us back to the simplicity of savages, and have us live 'according to nature.' Though, when we ask, with the Prince in Rasselas, what it is to live according to nature, we are sure to meet with no more satisfactory answer than was vouchsafed to that noble inquirer. The truth is, however, that our bodies would be as little bettered as our minds, by going back to the state of savages; for it is now ascertained, that savages are universally short-lived, and are subject to sudden and violent diseases. Population increases slowly amongst them, the most robust and healthy only overcoming the hardships of childhood; and even at the age of maturity, the healthiest and strongest savage, if compared with the average of well-fed civilized Europeans, will generally be found inferior both in strength and health. Some theorists again would have us live solely on animal food, and assert that the human viscera bear vegetables 'only in a grumbling way;' while others would reduce us to the diet of Nebuchadnezzar, and not leave a flesh-pot in our kitchens. A late celebrated physician, the prototype, we suppose, of Dr Lamb, used to say, that if men fed like cows, they would be free from diseases like cows. Yet it is well known that animals, with all their simplicity of diet, are by no means exempt from diseases. Not to mention many maladies which affect domesticated animals, and which perhaps may be attributed to our corruptions, it is certain that epidemic diseases often prevail among wild animals, cutting them off in great numbers; and that they are frequently found with diseased livers, calculous disorders, affections of the skin, and other chronic maladies. Man lives upon the whole longerthan any other animal; for the few exceptions that are mentioned appear to us but ill authenticated; and if we were as fond of little theories as learned doctors generally are, we think it might be plausibly maintained that his superior longevity should be attributed to his wide range of food, and the better nutrition which the arts of cookery afford. The vital functions in animals confined to one diet certainly seem to wear out early; and we might also reason from the analogy of plants, many of which, without a regular change of soil, speedily degenerate and die away; whereas, by frequent transplanting, they are for many years kept in full vigour. The example of the Brahmins, who feed solely on rice, makes nothing against us; for it seems now to be established that the Hindoos rarely arrive at the age of sixty; that they are a feeble and unenergetic race; and that when attacked by disease,

their constitutions sink under it, much more rapidly than those of Europeans.

The dietetic varieties, however, by no means end here. Some sage doctors will never allow us to fill our stomachs, and some hold that they should never be altogether empty; some reduce the whole mystery of nutrition to a skilful exhibition of successive stimulants; and others, to the exclusion of all that can interfere with the balsamic simplicity of the insipid chyle; some hold all fermented substances pernicious, and others think fermentation the best preparative for digestion. There is no want of instances and experiments too, in support of all these contradictory doctrines. On the contrary, we think it is chiefly to the infinite variety of incongruous facts, that we are to ascribe not only the diversity of conflicting theories, but the sounder and more sceptical conclusion, that the science truly admits of but few general propositions, and can neither be reduced to any simple theory, nor limited to any moderate number of established principles. How is it possible, indeed, to say what is absolutely the best diet for a human being, when we consider under what an infinite variety of different habits such beings are found to live in health and vigour, and from how many opposite causes their health and vigour are impaired? The same diet that is sanative to one whose digestion has been weakened by scanty and penurious living, cannot possibly be suitable to another, who has suffered from a long course of repletion and excess. The regimen that is most wholesome for youth is not likely to be well fitted for old age, nor that which answers for the active and laborious, for the studious and sedentary; nay, your dry and adust subject plainly requires a different regimen from the plump and succulent; a lover should not be dieted, we should think, as a miser, nor a champion of the fancy as a prime singer at the opera. But every man differs from every other in some of these important attributes, of age, habit of body, occupation, temperament, and disposition; so that all rules of diet must plainly require innumerable modifications to accommodate them to the condition of those classes of persons, even if it were possible to reduce them to certain classes. We have to add to all this, however, the special and apparently capricious varieties of digestive power, which the learned call Idiosyncrasy, by which the application even of those vague and variable rules must be constantly disturbed and thwarted. To say nothing of those races who can make a wholesome meal on whale-blubber thickened with saw-dust, and would sicken on a mess of oatmeal porridge or mashed potatoes, we see daily, among men of the same race and the same habits, that one is poisoned by eggs, and another by honey, almonds, or cheese; another

finds an antidote to dyspepsy in plum-pudding or mince-pie, and at the same time suffers from bread as from poison—nay, there are many to whom fruit is mortal in the morning and salubrious in the afternoon, or the contrary,—who thrive upon potatoes, and suffer under cabbage, or who can feed full on salmon with impunity, and yet die of oysters or crabs. Though these extreme cases, too, may be rare, the fact is, that every man after forty years of age has, to a certain degree, an idiosyncrasy of his own, and especially every man, who, from any infirmity or disorder of digestion, has any particular interest in the improvement of dietetic medicine.

But if the empirical or experimental elements of the science are, in this way, so complicated and perplexed as to afford no sure rules, either for theory or practice, it is at least equally certain that the ultimate principles on which it depends are still too little known in any degree to supply that defect. Of the real nature of digestion or sanguification we know scarcely anything. We know, indeed, that the stomach is the grand machine which manufactures a constant supply of materials, to repair the daily waste which takes place in the substance of the body. We know that the food, after being duly masticated by the teeth, and mixed into a pulp by means of the saliva, is received into the stomach. There, by means of the gastric fluid, and aided by sufficient heat and mechanical agitation, it is converted into a thickish pulp called chyme. From the stomach it passes into the other intestines, receives the addition of the bile and pancreatic juice, and, assuming the appearance of a thin milky fluid called chyle, it is taken up by numerous absorbents, carried by a large duct into the blood-vessels, from thence, passing through the lungs, it absorbs oxygen from the air, and, finally, is converted into blood. In this state, making the circuit of every part of the body, it gives out bone, muscle, skin, and tendon, as required. All these changes we can trace with reasonable certainty: but the manner in which they are effected has, as yet, baffled the curiosity of the physiologist. 'Let all these heroes of science meet 'together,' says Boerhaave; 'let them take bread and wine, the 'food which forms the blood of man, and, by assimilation, con-'tributes to the growth of the body—let them try all their art, 'and assuredly they will not be able, from these materials, to pro-'duce a single drop of blood; so much is the most common act of 'nature beyond the utmost efforts of the most extended science.' That the gastric juice of the stomach, however, is the prime agent in dissolving the different kinds of aliment is now universally allowed, and also that this solution is effected partly by chemical and partly by other means. When the stomach receives

the food, after being duly masticated, a quantity of this gastric fluid is poured out, and, gradually acting on successive portions of the alimentary mass, the whole is reduced in the course of a few hours to a thick greyish paste; from thence it passes to the other intestines, where, by a succession of changes and additions already mentioned, it is at last converted into blood. It would appear that the food, previous to being acted upon by the gastric juice, must be of a certain consistence, and that accordingly all the superfluous fluid taken into the stomach passes off; and this takes place, according to the experiments of Majendie, not through the lower orifice of the stomach, or *pylorus*, but by means of some other vessels not yet sufficiently ascertained. Thus when milk is taken into the stomach, it is first coagulated —the fluid part is then absorbed, and the solid mass subjected to the process of digestion. It is the same with all liquids, broths, soups, and even wine and other fermented liquors. 'M. 'Majendie made a dog swallow a certain quantity of diluted al-'cohol during the digestion of his food; in half an hour after-'wards, the chyle was extracted and examined; it exhibited no 'traces of spirit, but *the blood* exhaled a strong odour of it, and 'by distillation yielded a sensible quantity.'* It also appears, that a certain volume or bulk in the aliment is necessary for a regular and easy digestion, and that highly concentrated food, such as rich jellies, soups, &c. are not easily acted upon by the stomach, so that to make them digestible they require a large addition of bread, or some substance of a similar nature.

These facts may now be regarded as established; and, with a very few more, they are all that we can be said to know on the subject. We know tolerably well the composition of the blood, and we know that it is from this fluid that the body receives the materials of its nourishment; we know also the composition of muscle, bone, and tendon, and, in general, are aware that the constituent principles of the body are *fibrin, albumen, gelatin, oil, starch, mucilage, sugar, acids*, &c., and consequently we may infer, that the substances containing these in such a state as to be most easily acted upon by the stomach, are the best suited for our daily food. But we know not the chemical power of the stomach. It can sometimes abstract nourishment from substances which we should think contained little. The leech, for example, seems to convert simple water into muscle and blood. Graminivorous animals get fat in a very short time on grass and turnips, substances at the very bottom of *our* list of nutritious aliments; showing us that, with a vigorous digestion, the quantity and not the quality of food, is the principal requisite.

* Dr Paris, p. 88.

It is evident then, that with regard to diet, we cannot be guided either by chemical principles, or any uniform or positive experience; though, from the latter, we may, no doubt, derive some rules that may be generally useful. It will be found that several kinds of substances, highly nutritious in themselves, may, notwithstanding, from their peculiar texture, be very indigestible, and therefore an important distinction is to be made between the terms *nutritious* and *digestible.* The two great divisions of aliment are into animal and vegetable substances; for, we think, no mineral is properly nutritious. The flesh of animals ranks first in facility of digestion, and the flesh of full-grown animals is to be preferred to that of young. The fibre of the latter is harder, more stringy, and of a tougher nature, which renders it less easy of solution in the stomach. Mutton is generally of a more tender fibre than beef, and the flesh of hunted animals, which have been exhausted by exercise, is more tender than that of those killed by a sudden death. Of the modes of cooking animal food, it may be observed, that by boiling, although it loses a considerable portion of nutritious juices, yet it becomes easy and light of digestion. Roasting preserves the nutritious qualities in a greater degree; but from the retention of the fatty parts, and the hardening and condensing of the fibre, especially if overdone, it becomes less light for the stomach than boiled meats. Frying is objectionable from the quantity of oil or fat used, and this oily matter often becoming empyrumatic; for if there be any substance which is oppressive to *all* stomachs, we believe it to be burnt or baked fat. Broiling, by suddenly hardening the surface, and thus preserving the juices from evaporation, retains the nutritious qualities of the food to the greatest extent, and is the mode of cooking adopted by those who practise the art of training. Baked meats are liable to the same objections as fried, on account of their empyreumatic oil; and the paste by which they are usually covered becomes highly indigestible. Fish, when not of an oily quality, is generally light and nutritious, though in a much less degree than animal food; shell-fish, with the exception of oysters, are harder of digestion; and sturgeon, eels, salmon, herrings, and mackarel, are perilous for ordinary stomachs. It has already been remarked, that broths, soups, and jellies must have their watery part abstracted before the stomach effectually acts upon them, and consequently that, contrary to the common prejudice, they are less easy of solution than their solid constituents. These, and all other highly concentrated aliments, require a large addition of bread, potatoes, or other farinaceous substances, to make them manageable by the stomach; and from the nature of the French dishes and

the French cookery generally, this accounts for the large consumption of bread at their meals by the people of that nation. All oils and fatty substances are hard of digestion, although possessing highly nutritious properties. The same may be said of butter and cheese, especially when the latter is rendered still more compact by toasting.

The next great division of food includes the farinaceous aliments,—and particularly the various sorts of bread, made from grain, potatoes, and some other roots of a similar description. The farinaceous aliments form a most important part of the food of man. Some nations, as the Hindoos, live solely on such substances; even a considerable part of the peasantry of Scotland subsist chiefly on oatmeal and potatoes, with the addition of milk; and it is well known that the potatoe is the principal and almost sole article of diet among the Irish. Wheat is the grain which contains nutritious qualities in the highest degree. The flour of wheat consists of three ingredients, farina or starch, a mucilaginous saccharine matter, and gluten, a substance approaching in its properties the nearest to animal matter. This flour, after being made into dough, and, by the addition of yeast, subjected to fermentation, is baked in an oven, and becomes bread. It is found that bread in its preparation has undergone a complete chemical change; none of the three ingredients of the flour can now be discovered in it, but it consists of a homogeneous mass, easily miscible with water, and highly nutritive. Bread, when eaten new, is apt to become acid in the stomach, and should generally be kept until all fermentation and chemical change has ceased in it.

It might be supposed that the flesh of animals, as being easy of solution, and from its nature assimilating most with the bodies it was intended to nourish, would be the best adapted for the food of man. Yet experience shows, that farinaceous aliments are less heating and, on the whole, more agreeable in larger proportion than animal food. Men will not willingly live long on an exclusively animal diet; and, even among very rude nations, we find them acquainted with the use of bread, or adopting some substitute for it. The Esquimaux mix saw-dust with their oil, and various farinaceous roots are made use of by other rude nations. It has been long disputed among physiologists, whether man be more a carnivorous or herbivorous animal; and though the truth is, that he is neither the one nor the other, we think he inclines more to the latter. It is certain that an exclusive animal diet is not consistent with regular health, and that without some admixture of vegetables, disease will generally be induced; whereas an exclusively vegetable diet, though not

perhaps adequate to sustain the greatest possible vigour, may be persevered in without any such bad consequences. To the inhabitants of cities, and especially to the sedentary, and to all those whose occupations require, or permit of, little muscular exertion, we have no doubt that a larger proportion of vegetable food than is generally used, would be of benefit. A full diet of animal food presenting a large quantity of highly nutritious nourishment to the system, without due exercise or exposure to the air, is apt to overload, and over-stimulate the body, and give rise to many of the bilious and dyspeptic complaints so prevalent in such a situation.

Bread made from wheaten flour is most generally used, and contains the greatest proportion of nourishment; but the second, or brown bread, where a mixture of the bran is retained, is to be preferred for general use, on the principle already mentioned, that any nutriment, in a highly concentrated state, is not so well adapted for digestion; that a certain volume or bulk is essential, and that the stomach seems best satisfied when something is left for it to reject as well as select. Next to wheaten bread comes that prepared from oats, barley, or rice, &c. Biscuit is an unfermented bread, where the qualities of the flour have undergone little or no change, and though there is no doubt that the fermentation by leaven makes the mass more generally digestible, yet when common bread does not agree with the stomach, biscuit will often be found innocent and salutary.

Pease, beans, and other pulses, when eaten green, form a very agreeable aliment, but the bread made from their flour, although very nutritious, is not very digestible. The various species of pastry, composed of unfermented flour, and hardened and rendered heavy by empyreumatic fat and butter, often of the worst kind, cannot be too much reprobated. Potatoes have become a general and most important article of food. In nutritious qualities, they rank far below equal weights of bread, and in large quantities certainly are not very digestible. They contain a considerable portion of farina, or starch, joined to a large bulk of saccharine mucilaginous matter. A bread has sometimes been made from them; but without the addition of some kind of meal, their qualities are not much improved by this mode of preparing them. They are deficient in the gluten which forms the chief nutritive principle of wheat and other grain.

The various species of nuts are, in their composition, something similar to the farinaceous seeds; but, as containing a large proportion of oily matter, they are apt to overload the stomach, especially if taken after a full meal. Carrots and turnips contain a large proportion of saccharine mucilaginous matter, and

are found to be an useful and agreeable species of vegetable food. Cabbages, cauliflowers, and others of this species, are grateful adjuncts to a full animal diet. They are with many stomachs, however, apt to be indigestible, and should be thoroughly boiled, so as to render their fibres tender.

Fruits, in general, are grateful, cooling, and salutary, except when taken in excess, in their unripe state, or in such quantities after a full meal as to impede digestion. There are various opinions as to the proper time for eating fruit, among medical authorities. To some persons, eating fruits when the stomach is empty, is productive of uneasy sensations; while others, again, cannot eat them at meals. In the morning, or to breakfast, or as forming a light supper meal, fruits may form an agreeable luxury. Much allied to fruits are sallads, and all vegetables eaten raw. They require, to be eaten with impunity, the addition of some condiments, as vinegar, pepper, &c.

Milk, as a distinct kind of aliment, and the first destined by nature for man and many other animals, deserves some notice. It consists of three ingredients, curds, whey, and cream, intimately blended together. When milk is taken into the stomach, it is very speedily coagulated, and separates into its constituent parts. The fluid part is soon absorbed, and the solid pulp easily digested; but it is remarkable, that if this coagulation is previously made by artificial means, the curd is greatly more tough, and consequently less easy of digestion. Milk is nutritious in a considerable degree, and constitutes a medium diet between animal food and farinaceous.

It would appear that some Stimulants, besides the natural food, are useful both to man and other animals, for promoting the due action of digestion. There is a bitter, and we may add an aromatic principle, contained in some herbs, which are eagerly sought after by graminivorous animals, and indeed appears to be essential to their healthy functions. 'It has been found that 'no cattle will thrive upon grasses which do not contain a pro- 'portion of this bitter principle. This fact has been most satis- 'factorily proved by the researches of Mr Sinclair, gardener to 'the Duke of Bedford, which are recorded in that magnificent 'work, the "*Hortus Gramineus Woburnensis.*" They show, that 'if sheep are fed on yellow turnips, which contain little or no 'bitter principle, they instinctively seek for, and greedily de- 'vour, any provender which may contain it; and that if they can- 'not so obtain it, they become diseased, and die. We ourselves 'are conscious of the invigorating effects of slight bitters upon 'our stomach. The Swiss peasant cheers himself amid the frigid 'solitude of his glaciers, with a spirit distilled from gentian, the

'extreme bitterness of which is relished with a glee quite unin-
'telligible to a more cultivated taster. It may be safely affirmed,
'that the utility of this condiment is in an inverse ratio with the
'nutritive, or rather digestible power of a vegetable substance;
'and we accordingly find, in conformity with that universal
'scheme of self-adjustment and compensation so visible in all
'the operations of nature, that cultivation, which exalts and ex-
'tends the nutritive powers of vegetable bodies, generally dimi-
'nishes their bitterness in the same proportion.'—*Dr Paris*, p. 145. Salt, too, is universally sought after and greedily devoured by animals in their natural state; and to man, a certain proportion of it, to every species of food, seems to be necessary for the due preservation of his health. Lord Somerville, in his Address to the Board of Agriculture, makes the following interesting statement of a punishment which existed in Holland: 'The ancient laws of that country ordained men to be kept 'on bread alone, *unmixed with salt*, as the severest punishment 'that could be inflicted upon them in their moist climate. The 'effect was horrible; these wretched criminals are said to have 'been devoured by worms engendered in their own stomachs.' Salt, and the various kinds of aromatic spices, come under the denomination of condiments. The first is universally allowed to be salutary, although spices are condemned by the great proportion of medical writers, we do not see on what good reasons. The aromatic spices are certainly of a more heating nature than salt, and when taken in excess, may perhaps injure the stomach; but, as grateful adjuncts in the cooking of various dishes, by which those dishes are made more agreeable to the palate, and digestion is accelerated and made more perfect and complete, they seem to hold no inconsiderable place among the aids and assistants to the great and important purpose of chylification. Among the condiments may be reckoned vinegar, which, taken in moderate quantity, is salutary and grateful, and has the property of preventing other substances, as sallads and raw vegetables, from running into an acetous fermentation. Lemon-juice, and other vegetable acids, form also agreeable additions to many kinds of food. The juice of some acrid vegetables, too, such as radish, but especially the horseradish, is reckoned a grateful stimulant.

The next important question is, how far a mixture of different kinds of aliment at one meal, is salutary, or whether, according to the precepts of many physicians, we should confine ourselves exclusively to one dish? On this subject Dr Paris remarks,— 'I have already alluded to the mischief which arises from the 'too-prevailing fashion of introducing at our meals an almost in-

'definite succession of incompatible dishes. The stomach being 'distended with soup, the digestion of which, from the very na- 'ture of the operations which are necessary for its completion, 'would, in itself, be a sufficient labour for that organ, is next 'tempted with fish, rendered indigestible from its sauces; then 'with flesh and fowl. The vegetable world, as an intelligent re- 'viewer has observed, is ransacked from the *cryptogamia* up- 'wards; and to this miscellaneous aggregate are added the perni- 'cious pasticcios of the pastry-cook, and the complex combina- 'tions of the confectioner. All these evils, and many more, have 'those who move in the ordinary society of the present day to 'contend with. It is not to one or two good dishes, even abun- 'dantly indulged in, but to the overloading the stomach, that 'such strong objections are to be urged. Nine persons in ten 'eat as much soup and fish as would amply suffice for a meal, 'and, as far as soup and fish are concerned, would rise from the 'table not only satisfied, but saturated. A new stimulus ap- 'pears in the form of stewed beef, or *côtelettes à la suprême.* Then 'comes a Bayonne, or Westphalia ham, or a pickled tongue, or 'some analogous salted, but proportionately indigestible dish, 'and of each of these enough for a single meal. But this is not 'all—game follows, and to this again succeed the sweets, and a 'quantity of cheese. The whole is crowned with a variety of 'flatulent fruits and indigestible nick-nacks, included under 'the name of dessert, in which we must not forget to notice a 'mountain of sponge-cake. Thus, then, it is that the stomach is 'made to receive not one full meal, but a succession of meals 'rapidly following each other, and vying in their miscellaneous 'and pernicious nature with the ingredients of Macbeth's caul- 'dron. Need the philosopher, then, any longer wonder at the 'increasing number and severity of dyspeptic complaints, with 'their long train of maladies, amongst the highest classes of so- 'ciety? "*Innumerabiles morbos non miraberis—coquos numera.*" 'But it may be said that this is a mere tirade against quantity, 'against over-distension of the stomach—that it argues nothing 'against variety of food, provided the sum of all the dishes does 'not exceed that which might be taken of any single one. With- 'out availing myself of the argument so usually applied against 'plurality of food, that "it induces us to eat too much," I will 'meet the question upon fair grounds. It is evident that the dif- 'ferent varieties of food require very different exertions of the 'stomach for their digestion. It may be that the gastric juice 'varies in composition according to the specific nature of the 'stimulus which excites the vessels to secrete it; but of this we 'are uncertain, nor is it essential to the argument. It is suffi-

'cient to know, that one species of food is passed into the duo-
'denum in a chymified state, in half the time which is required
'to effect the same change in another. Where, then, the sto-
'mach is charged with contents which do not harmonize with
'each other in this respect, we shall have the several parts
'of the mixed mass at the same time in different stages of diges-
'tion. One part will there be retained beyond the period destined
'for its expulsion, while another will be hurried forward before
'its change has been sufficiently completed. It is then highly
'expedient, particularly for those with weak stomachs, to eat
'but one species of food, so that it may be all digested and ex-
'pelled at nearly the same period of time.'—pp. 246, 7, 8.

Now, all this sounds remarkably well, and *is*, in fact, as true and reasonable as any general doctrine on such subjects can well be; and yet it is but ill calculated to stand a strict investigation, either as to the theory or the facts. The sum of it is, that repletion is necessarily very pernicious; and that to take two or three things, differing in facility of digestion, into the stomach at once, is to ensure all sorts of disorder and disturbance. Now, even as to repletion, how many stout, young, and even middle-aged men are there, who make such a dinner as is here described, five days every week, without feeling the slightest inconvenience? And how many who, when in advanced life they begin to feel oppressed by such a course of indulgence, retrench but a little, and live to a good old age, just as vigorously and comfortably as those who never exceeded? Nay, how many are there, who go on without any retrenchment, to a period of life which few of the most abstinent are ever known to attain? We happen ourselves to know three such veterans, the youngest of whom is eighty-four, and the weakest more hale and vigorous than any other octogenarian of our acquaintance. But we need not go beyond the very common case first stated, for proof that the mischief is neither of the kind nor the degree that is assumed in the preceding quotation. If a man feels well and comfortable the day after he has eaten three times as much as was proper or necessary, we may be quite sure that the excess has produced no actual derangement or disorder of the functions; and if he continues to feel equally well, and is neither bloated nor purple after six months continuance of such excess, it is equally certain that the repletion has been confined to an afternoon's distension of the alimentary canal, and has not been communicated to the system. If a man swallows every day the materials for making double the quantity of chyme, and chyle, and blood, that he has occasion for, and actually exhausts his gastric juice, and overworks the energy of the stomach in this unnatural manufac-

ture, it is very likely that the energies will be impaired by the exertion; and, at all events, it cannot but happen that, at the end probably of a few days, certainly of a few weeks, he will be oppressed by a flow of twice as much blood as his vessels can hold, or swelled out by a sudden generation of twice as much fat, flesh, or tendon, as he had before. If these consequences do not follow, however,—and it is certain that they do not—it is plain that the redundant aliment is *not* so elaborated into animal substance, that the gastric juice is not wasted, nor the vital energy of the stomach expended in its concoction, and that the system is not in any way oppressed by its excess,—which terminates merely in this, that the alimentary apparatus is periodically distended by the bulk, and pressed by the weight of a quantity of matter which might have been withheld from it; from which loading and distension, some evils may ultimately ensue, though of a very different kind from what Dr Paris's frightful description would lead us to expect.

With regard to the *mixture* of aliments more or less easy of digestion in one meal, though the theory may seem more plausible, it is still more decidedly at variance with facts. Of the two great classes of aliments, animal substances are known to be far more speedily concocted than vegetables—generally speaking, in less than half the time. If there were any practical truth in the Doctor's reasoning, therefore, we ought, on no account, ever to take animal and vegetable food at the same meal; and nothing could be conceived more pernicious than the good old custom of eating bread with our beef, pease-pudding with our pork, parsnips with our salt fish, or even potatoes with our mutton. Even Dr Paris, however, does not venture directly to condemn these familiar conjunctions—which we have no doubt, indeed, that he sanctions by his daily practice, and of which the innocence and salubrity are, at any rate, established by such a body of experience, as to set all speculation at defiance; and yet there are no two substances in the Doctor's imposing catalogue of incongruous luxuries, more irreconcilable in this respect, than a slice of slightly roasted mutton, and a plain boiled potatoe,—the one being dissolved in the stomach in about the shortest time of any known aliment, and the other requiring about the longest. How the fact is reconciled with the theory, it is of no great consequence, as long as the fact is admitted, that we should determine. We know, however, that the stomach has various resources, and accommodating expedients in such cases; one of which is the remarkable sensibility of the *pylorus*, by which it allows the digested *chyme* an exit, but denies it to the undigested aliment. From various experiments, too, it would ap-

pear, that the chyle is of a different quality when produced from different alimentary substances; and, as this nutritive fluid has to supply the various textures and juices of the body, differing in composition from each other, may not a chyle, composed of these different alimentary materials blended together, be more adapted for the purpose than that from a single substance? It is well known that a successive change of aliments is peculiarly grateful, and, indeed, almost essential to the human appetite, and that it is apt to pall on the repeated and daily use of one particular food; and that this is not a consequence of over luxurious corruptions may be fairly inferred from the fact, that graminivorous animals are fond of a change of pasture, and of blending a variety of herbs and grass in their feeding; and birds too, though one species of food, such as a particular grain, should be in abundance before them, delight to have a variety in their meals.

With regard to modes of cookery, it is almost enough to say, that that kind is to be preferred, which, while it renders the food sufficiently tender and savoury, so as duly to excite all those organs connected with the digestive functions, yet leaves some labour for the stomach itself. On this account, the roast-beef and plain joints of the English seem on the whole preferable even to the best made dishes of the French, which either concentrate the nourishment too much, or present it in a state too nearly approaching the chyle to which it is to be reduced.

Of drinks, there is less to be said. Water is the most obvious and universal; and indeed, it is to their containing it in a large proportion, that all other fluid liquors owe their use as diluents. The purer water is, it is, of course, the more salutary. Distilled water contains less of foreign ingredients than the waters even of good springs and rivers. Stagnant water often produces dangerous consequences. There is a great dispute about the quantity of fluid that ought to be taken, as well as about the times of taking it. The modern system is unfavourable to fluids, and scarcely indulges its subjects with more than a pint a-day, though many adherents of the old school continue to justify the doctrine of diluents, by persisting in excellent health, under a very opposite regimen. The old fashion, too, was to drink what was permitted, at or after meals; but Abernethy and others have recently insisted that no liquid should be taken till three or four hours afterwards, or till the digestive process be completed. Though water be the primary diluent, man has seldom been contented with a purely aqueous beverage. It is singular, indeed, to consider, at how early a period of its civilization, every nation, however rude and stupid in other things, has invented some means of intoxication. There is no invention earlier than that of wine.

According to Herodotus, the Egyptians early used a fermented liquor made from grain. The ancient Celts had their mead,—the Scandinavians their beer,—the Tartars a liquid fermented from the milk of their cattle. On the other hand, the Chinese, besides distilled liquors from rice, have their exciting infusion of tea, and the Sandwich islanders their bowls of intoxicating *cava*; substances, which, though not coming under the denomination of fermented liquors, yet contain that stimulating and narcotic principle which renders all such beverages acceptable. All these means of intoxication are generally condemned by medical writers; and by most of them in the most unqualified terms. There is no doubt that their excess is hurtful; but even when used in moderation, many learned persons maintain that they are pernicious. Stimulants, they think, are so universally; and the more bland and less exciting the aliment, the more healthy and perfect will the functions remain. Now, for this, as for most theories, the best answer is the fact. Salt, for example, is a substance not convertible into nutriment,—a strong stimulant to the animal fibre, in itself nauseous to the palate, and if taken in large quantity, offensive to the stomach, and acting violently on the bowels. Yet all animals, directed instinctively to it, devour it with avidity; and it is so essential to the human constitution, that when deprived of its use, as has been already mentioned, the system gets into a complete state of disease. Now, although salt contains no narcotic principle like spirituous liquors, yet, as both possessing stimulating properties, and acting in this way on the human constitution, their effects may be in one respect similar. Besides, certain proportions of the constituents of wine, beer, and other fermented liquors, as the bitter principle, mucilage, &c., are convertible by digestion into nutritious matter; and it is even doubtful, whether the pure alcohol which they contain, may not in some measure be decomposed and enter into the system. The moderate use of these fermented liquors, therefore, as affording a stimulus to the stomach, by which its contents are more readily digested, would appear, by experience, not to be unsalutary. To young persons, where all the functions of the system are in full vigour, such excitements may no doubt be unnecessary; but when age begins to deaden the sensations, and the animal powers begin to languish, the enlivening stimulus of wine may often be more than innocuous.

The two great divisions of wines are into red and white. In making red wine, it is well known that the whole grape with the husk is employed; white wines are made from the expressed juice alone. Red wines, therefore, are more astringent, and while with some stomachs they do not agree so well as the

lighter white wines, with others they are more tonic and palatable from possessing this astringency. Of the various flavours of wine, Dr Paris remarks, 'The odour or *bouquet* which distinguishes one wine from another, evidently depends upon some volatile and fugacious principle, not hitherto investigated by the chemist,—this, in sweet and half-fermented wines, is immediately derived from the fruit, as in those from the Frontignan and Muscat grapes; but in the more perfect wines, as *Claret*, *Hermitage*, *Revesaltes*, and *Burgundy*, it bears no resemblance to the natural flavour of the fruit, but is altogether the product of the vinous process. The menstruum of this volatile principle is doubtless, in most instances, the alcohol contained in wines, but its quantity is so minute as to be incapable of separation. In this latter case it frequently appears to produce a very remarkable effect upon the nervous system, and may possibly be hereafter discovered to be a new principle of extraordinary powers; such an opinion at least is sanctioned by the well-known effects of Burgundy,—the excitement produced by this wine being peculiar, and not bearing any relation to the proportion of alcohol contained in it.'—p. 182.

Alcohol is the active ingredient in all wines, and indeed in all species of fermented liquors, however various the substances from which they may be made. According to a table of the relative strength of wines, constructed by Mr Brand, and, as it would appear, from very accurate experiments, it is found that Port wine, on an average, contains 23½ per cent of alcohol; Madeira, about the same; Sherry, on an average, 17½; Claret, 14½; Red Champagne, 11; White ditto, 12; Burgundy, 11; Hock, from 7 to 14; Cape Madeira, 18; Constantia, 19. It must be observed, that the Spanish and Portuguese wines imported into this country, besides their native alcohol, which exists in a combined state, contain also an addition of brandy or uncombined spirit. From this cause it is found, that such wines are much more hurtful to the constitution than those that are pure. Claret, as being thoroughly fermented, and containing a small proportion of alcohol and little extractive matter, is reckoned a light and salutary wine, and much more so than port. Sparkling and effervescing wines, are those which contain a large volume of carbonic acid combined with them, and partake of the properties of that substance.

Besides alcohol and extractive matter, wines also contain a portion of vegetable acid, called tartaric acid; and much has been lately said of the bad effects of this acid; but the proportion in good wine is really so small as to produce no injurious effects. In eating fruits and other vegetables, ten times the

quantity of acid is taken into the stomach, without any injurious effects. It no doubt happens, however, that wines or other fermented liquors sometimes pass into the acetous fermentation in the stomach, and in that form oppress and overload that organ. Malt liquors, though essentially of the same nature as wines, differ somewhat in their component parts. They contain a greater proportion of mucilaginous and nutritive matter, less acid, and less alcohol; and acquire moreover a peculiar bitter, and narcotic principle, from the addition of hops. Ale, according to Mr Brand's table, contains from 8 to 9 per cent of alcohol. Porter, from 6 to 7 per cent. Malt liquors, from containing a considerable quantity of nutritious matter, would appear to be highly nourishing,—at all events, people using such potations largely are apt to get fat. Such liquors should be taken, however, along with other more solid food, for reasons already mentioned.

'To those,' says Dr Paris, 'whose diet is not very nutritive, 'ale may be considered not only as an innocent, but as a salu-'brious article; and happy is that country whose labouring 'classes prefer such a beverage to the mischievous potations of 'ardent spirit. These remarks, however, cannot apply to those 'classes of the community who "fare sumptuously every day." 'They do not require a nutritive potation of such a quality; 'and light wines have accordingly in these days of luxury very 'properly superseded its use. But I am not disposed to extend 'this remark to its more humble companion, *table-beer*. I regard 'its dismissal from the tables of the great as a matter of regret. 'Its slight but invigorating bitter is much better adapted to pro-'mote digestion than its more costly substitutes. But it should 'be soft and mild; for when stale and hard, it is likely to dis-'turb the bowels, and occasion effects the very opposite to those 'it is intended to produce. Nor ought it to have too great a 'proportion of hops, but should be thoroughly fermented and 'purified. Sydenham always took a glass of small-beer at his 'meals, and he considered it as a preservative against gravel.' pp. 195-6.

Now, this passage is another proof of the perilous uncertainty of dietetic dogmas. Even since it has been written, we understand a prosperous sect has arisen in the metropolis, who set their faces against all kinds of malt liquors, as the most pestilent of possible beverages; and the first and cardinal prohibition, in the latest dyspeptical decalogue, we believe, imports that they shall not taste of beer, whether strong or small.

Ardent spirits, such as brandy and rum, when taken undiluted, are beyond doubt highly pernicious. To those stomachs,

however, where wines and malt liquors prove too oppressive, the beverage of *punch*, where the spirit, saccharine matter, and acids, are thoroughly amalgamated, may prove a salutary substitute.

As substances somewhat analogous to fermented liquors, we may here mention tea and coffee. Since the introduction of tea into this country, few subjects have caused greater discussion than the salubrious or deleterious nature of this plant. The controversy of Jonas Hanway, and the celebrated Dr Johnson, is well known. Like most other subjects of keen discussion, it has sunk to rest; the theory is as unsettled as ever: but millions still go on sipping their tea; old maids still gossip over it, and mankind live and die very much as they did before the herb first crossed the Indian ocean.

Tea differs from wine and similar liquors, in containing no nutritious quality, except what it acquires from the addition of sugar and cream. There are two sorts of tea, the black and the green, the latter possessing the peculiar narcotic quality in the higher degree. The exhilarating effect of tea is very different from that of wine. It is not nearly so powerful a stimulant; the circulation is little accelerated; the excitement is of a calm, placid, and benignant nature, while that arising from wine is violent and tumultuous; the action of the heart and blood-vessels is highly accelerated; the brain is excited, and all the functions of the body quickened. Tea, when taken some hours after a meal, and when the digestion is nearly completed, is peculiarly grateful; and besides its gently stimulating effects on the stomach, exhausted with the labour of digestion, it serves as an appropriate diluent to the chyle. With some particular constitutions, however, it seems to produce disorder of the functions, and taken immediately after dinner, is apt to impede digestion; but in general it is found highly grateful. Dr Paris remarks, that, 'in enumerating the advantages of tea, it must not be forgotten 'that it has introduced and cherished a spirit of sobriety; and 'it must have been remarked by every physician of general 'practice, that those persons who dislike tea, frequently supply 'its place by spirit and water.'

Coffee, especially among our continental neighbours, is much used immediately after dinner; and, if taken in moderate quantity, is not found to disagree with the stomach, as tea sometimes does under similar circumstances. Coffee contains mucilage and bitter extract, and also a slight empyreumatic tinge from the roasting, which is apt to disagree with some stomachs. Both these beverages have the property of inducing watchfulness; they are therefore improper immediately, or for some hours, be-

fore going to bed. Chocolate and cocoa, as consisting principally of oil, and that oil often rancid, are far more perilous for ordinary stomachs.

With regard to the periods at which our different meals should be taken, no general rule can be founded on any reasonable principle that we know of. Different countries have different hours for their meals, and even in this country strange revolutions have taken place within the space of a century or two. In the days of Queen Elizabeth, the nobility were accustomed to dine at eleven, to sup between five and six, and to go to bed at ten. In the days of George the Fourth, the fashionable dinner hour is even later than the fashionable supper hour of the period alluded to. The great mass of our population, who rise with the sun to their daily toil, make their first meal early, dine at noon, and sup when their labour is over. This, we should think, was 'living according to nature,' and conforming at least to the solar 'system of things' as nearly as may be. But we conceive it is of little consequence when the meals are taken, provided a due regularity at stated hours is attended to; and provided also that the meals are not too numerous. A strict regularity in the hours of taking our meals, is certainly a salutary custom. We are in everything very much the creatures of habit, and a certain periodical revolution in the human machine, as well as in every department of the system of nature around us, seems to be regularly kept up. The frequency of our meals, too, is a subject of considerable consequence. Some have advised that the stomach should never be allowed to be empty—most absurdly alleging 'that the stomach is like a schoolboy, 'always at mischief unless employed.'* This is about as good reasoning as that of Hieronymus Cardanus, as mentioned by the same author, who, insisting on the advantages of perfect rest, observes, 'that trees live longer than animals, because they never stir from their places!' Others, recurring to savage life again, would have us be content with one meal a-day. That the digestion of one meal should be completely finished, and a proper interval allowed before the introduction of another, we should think reasonable; but even this has been disputed. Celsus recommends food twice a-day, rather than once, and Sanctorius says, 'the body becomes more heavy and uneasy after six 'pounds taken at one meal, than after eight taken at three, and 'that he who makes but one meal in the day, let him eat much 'or little, is pursuing a system that must ultimately injure him.'

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* Dr Temple, as quoted by Dr Paris.

On the whole, we think the usual allowance of three meals a-day, with the intervention of the liquid refreshment of tea or coffee, is a fair, and at the same time ample allowance. With respect to the quantity of food, we must come again to our vague generalities, or to mere empiricism. 'Men who in the 'earlier ages, from a mistaken notion of religion, confined their 'diet to a few figs, or a crust of bread and water, were so many 'visionary enthusiasts, and the excessive abstinence to which 'some religious orders are subjected, has proved one of the 'greatest sources of modern superstition. The effects of feed-'ing below the healthy standard, are also obvious in the diseases 'of the poor and ill-fed classes in England and Ireland; and 'these are still more striking in those districts, where the food 'is chiefly or entirely vegetable, and therefore less nutritious. 'It is also well known, that the obstinate fasting of maniacs of-'ten occasions a disease resembling the sea-scurvy.'* In eating, due attention should be paid to the proper mastication of the food, as this is a highly important preparatory process to digestion; on this account, we should rather eat slow than fast. The proper periods of exercise, it is generally said, should be some time before a meal, and three or four hours afterwards, when the digestion is completed, and the system, being renovated with nourishment, is most disposed for muscular exertion; and, on this account, the very late hours of dining now in use, have been condemned as precluding subsequent exercise. But all this, too, has been disputed; and it has been plausibly contended, that the chief meal should be taken a few hours before sleep, during which the assimilation is best matured. It seems more unexceptionable to say, that exercise should never be pushed to fatigue immediately before a meal. Digestion requires an effort, and if nature come to the task exhausted and worn out, it is not to be wondered at if the work be incomplete. Too much stress cannot be laid on the paramount importance to most persons of regular and daily exercise in the open air; and there can be little doubt that it is more from the want of this, among the inhabitants of large cities—among the sedentary—the studious—but above all, among the idle and the indolent, than from all the irregularities and luxuries of the table, that their diseases proceed. It cannot be supposed that a feeble and relaxed frame, pale and sickly, like the plant of a hothouse, should possess vigorous digestive organs, capable of performing the functions without disorder; while, on the other hand, to the healthy and robust frame,

* Dr Paris, p. 262.

almost every usual species of food is alike acceptable and alike salutary. Such as these may smile at the rules and nice distinctions of the writers on diet, and they may smile with impunity. We must look then on the systems of the rigid dietecians rather as rules for the sick and disordered, than as precepts for the general guidance of the robust and healthy.

With regard to the composition of the different meals, it may be observed that the most prevalent custom in modern times is to make the dinner the most substantial repast, the other meals being generally of a light nature. Of breakfast, Dr Paris observes,

'Heartburn is a common effect of a heavy breakfast, especially if it be accompanied with much diluting liquid; and a question has consequently arisen as to the propriety of taking much fluid on these occasions. Some have recommended a *dry breakfast*, as peculiarly wholesome; and we have been told, that the celebrated Marcus Antoninus made it a rule to eat a hard biscuit the moment he got up. I think it will not be difficult to show the reasons why liquids are essentially necessary at this meal. To say nothing of the instinctive desire which we all feel for them, it is evident that there is a certain acrimony and rankness in all our secretions at that time; the breath has frequently a peculiar taint in the morning, which is not perceptible at subsequent periods of the day. This may be explained by the loss which the fluids of the body have sustained by perspiration, as well as by the quality of newly-elaborated matter introduced into the circulation during sleep. The experiments of Sanctorius have fully demonstrated the superior power of sleep in promoting the perspiration; insomuch, that a person sleeping healthfully, and without any unnatural means to promote it, will, in a given space of time, perspire insensibly twice as much as when awake. This fact is sufficient to prove the necessity of a liquid breakfast. Every physician, in the course of his practice, must have been consulted upon the propriety of taking meat, tea, or coffee, at breakfast. I shall, therefore, offer to the profession the results of my experience upon this subject; and I am encouraged in this duty by a conviction of the advantages which have arisen from my view of the question. A person who has not strong powers of digestion, is frequently distressed by the usual association of tea with bread and butter, or, what is more injurious, with hot buttered toast or muffin; the oily part of which is separated by the heat of the liquid, and remains in the stomach, producing, on its cardiac orifice, an irritation which produces the sensation of heartburn. On such occasions I always recommended dry toast, without any addition. New bread, or spongy rolls, should be carefully avoided. Tea, to many persons, is a beverage which contains too little nutriment: I have therefore found barley-water, or a thin gruel, a very useful substitute. A gentleman some time since applied to me, in consequence of an acidity which constantly tormented him during the interval between breakfast and dinner, but at no other period of the day: he had tried the effects of milk, tea, coffee, and cocoa, but uniformly without success. I advised him to

eat toasted bread, with a slice of the lean part of cold mutton, and to drink a large cup of warm barley-water, for the purpose of dilution. Since the adoption of this plan he has entirely lost his complaint, and continues to enjoy his morning diversions without molestation. Hard eggs, although they require a long period for their digestion, are not generally offensive to the stomach; they may therefore be taken with propriety, whenever, from necessity or choice, the dinner is appointed at a late season.'

Suppers, if taken at all, should be light. It is well known, that among the Romans, supper was the principal meal; and some nations still have their principal repast at sunset.

We shall close these remarks with an extract relating to some experiments of Sir Humphry Davy, with regard to the deleterious nature of coal gas, when taken into the lungs, and from whence Dr Paris takes occasion to condemn the introduction of such gas into the interior of our houses. Sir H. D. introduced into a silk bag, four quarts of carbonated hydrogen, and

'After a forced exhaustion of my lungs,' says he, 'the nose being accurately closed, I made three inspirations and expirations of the gas. The first inspiration produced a sort of numbness and loss of feeling in the chest and about the pectoral muscles. After the second inspiration, I lost all power of perceiving external things, and had no distinct sensation, except a terrible oppression on the chest. During the third expiration this feeling disappeared, I seemed sinking into annihilation, and had just power enough to drop the mouthpiece from my unclosed lips. A short interval must have elapsed, during which I respired common air, before the objects about me were distinguishable. On recollecting myself, I faintly articulated, "*I do not think I shall die.*" Putting my finger on the wrist I found my pulse threadlike, and beating with excessive quickness. In less than a minute I was able to walk; and the painful oppression on the chest directed me to the open air. After making a few steps, which carried me to the garden, my head became giddy, my knees trembled, and I had just sufficient voluntary power to throw myself on the grass. Here the painful feeling of the chest increased with such violence as to threaten suffocation. At this moment, I asked for some nitrous oxide.* Mr Dwyer brought me a mixture of oxygen and nitrous oxide, which I breathed for a minute, and *believed* myself relieved. In five minutes, the painful feelings began gradually to diminish. In an hour they had nearly disappeared, and I felt only excessive weakness and a slight swimming of the head. My voice was very feeble and indistinct: this was at two o'clock in the afternoon. I afterwards walked slowly for about half an hour; and on my return was so much stronger and better, as to believe that the effects of the gas had disappeared, though my pulse

* Sir H. Davy had previously inspired this gas, and found it capable of producing an excitement resembling that of incipient intoxication.

was 120, and very feeble. I continued without pain for nearly three-quarters of an hour, when the giddiness returned with such violence as to oblige me to lie on the bed; it was accompanied with nausea, loss of memory, and deficient sensation. In about an hour and half the giddiness went off, and was succeeded by an excruciating pain in the forehead, and between the eyes, with transient pains in the chest and extremities. Towards night these affections gradually diminished; at ten, no disagreeable feelings except weakness remained. I slept sound; and awoke in the morning very feeble and very hungry. I have,' adds Sir H. Davy, 'been minute in the account of this experiment; because it proves, that carburetted hydrogen acts as a *sedative, i. e.* that it produces diminution of vital action, and debility, without previously exciting. There is every reason to believe, that if I had taken four or five inspirations, instead of three, they would have destroyed life immediately, without producing any painful sensation.'*

Of the books of which we have prefixed the titles, that of Dr Paris is, on the whole, the most practical and satisfactory. Mr Abernethy's is more rigid and ascetic in its doctrines, though, at the same time, very spirited and original.—Dr Philip has smoothed the way, and perhaps sometimes pointed it out, very usefully, for his brother Paris. There are many excellent remarks and valuable suggestions in the work of Dr Johnstone.

ART. III.—*Inquiries with respect to the Influence and Operation of National Debts and Taxes*, pp. 125. London, 1827.

WE endeavoured to show, in our last Number, that the imposition of a tax on capital, is the only means by which the vast amount of our National Debt can be effectually lessened, and the country relieved from the many pernicious consequences caused by the pressure of so heavy a burden. Whether, however, the public will ever be disposed to submit to the temporary inconvenience that such a measure would occasion, or whether we shall ever possess a government sufficiently patriotic and enlightened, to perceive the policy of making a comparatively small immediate sacrifice to obtain a great ultimate good, or sufficiently powerful to carry such a measure into effect, are questions upon which we shall not presume to decide.

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* Researches, Chemical and Philosophical, chiefly concerning Nitrous Oxide, and its Respiration, by Humphry Davy.

But we confess that our anticipations are not very sanguine. The taunts that have been thrown out, and the clamour that has been raised, on several late occasions, in the House of Commons, against the fundholders; and the way in which these taunts and that clamour have been re-echoed throughout the country, are circumstances, in our apprehension, alike ominous and discreditable. One thing, however, is clear: If the public fail to fulfil their part of the contract entered into with those who lent their capitals to government, it will not be through inability, but disinclination. We shall not be honest, but Fraudulent Bankrupts. Those, too, who might expect to gain most by so profligate a measure, would most likely be the greatest sufferers: For, if the rights of the fundholders should once be violated, those of the landholders would not long be secure. Injustice cannot be perpetrated on any one of the leading classes of society, without deeply affecting, and, most probably, subverting the rights of others.

At present, however, it is unnecessary to insist farther on this point. The practical question we shall most probably be first called upon to decide, is, not what are the best and most advantageous means by which a part of the public debt may be paid off, but what is the least injurious method of increasing it? Nor is this a question of small interest. On the contrary, it is one of the very highest importance; and it is not going too far to say, that had it been thoroughly canvassed and understood previously to the commencement of the American war, or even previously to the commencement of the late French war, we should have saved millions upon millions, and our financial condition would, consequently, have been infinitely more prosperous than it now is.

We endeavoured to show, in a former article, (No. 77, Art. I.) that when such additional taxes can be safely imposed on a country at the breaking out of a war as may be required to carry it on, it is always sounder policy to raise the supplies within the year by their means, than to resort to borrowing. By adopting this plan, every man's share of the expenditure on account of the war is brought directly home to himself, and made a debt exclusively affecting his own capital and industry. He has, therefore, the greatest possible interest to exert himself to get this debt extinguished; whereas, when loans are adopted, taxes are imposed only to defray the interest of these loans; and every one is satisfied, if by increased exertion and economy, he can save his share of that interest, without once thinking or caring about the principal. It must, however, be acknowledged, that it is not always

either practicable or prudent to act upon this system. It can only be carried into effect by a powerful and well-established government; and no attempt ought to be made to enforce it, unless when a country is in a condition to bear so sudden and considerable an increase of taxation as would be required to defray the expenses of a war, without giving any injurious shock to industry. By slowly increasing taxation, a country may be trained to bear a load of taxes, which, had they been imposed at once, might have paralyzed all her powers. And hence the question, with respect to the best mode of providing the supplies for a war, is one, the solution of which depends on the circumstances peculiar to each case in which it may be proposed, and does not admit of being subjected to any general rule. For the reasons already given, we certainly think that when a government is powerful, and a country in a situation to bear the necessary weight of taxes, it is always most expedient to raise the supplies within the year. But under other circumstances, loans might be more advantageously resorted to. And as, independently of these considerations, it is most probable that they will, from the immediate relief from taxation, and the extreme facility of raising supplies which they afford, be generally adopted in preference to any other plan for providing funds upon an extraordinary emergency, it becomes of the greatest importance carefully to inquire into the best method of negotiating them.—But to render what we have to say on this subject more intelligible, we shall premise a few observations with respect to the progress of the public debt, and shall take the liberty of briefly animadverting on some rather interesting topics of speculation connected with it.

With the exception of the trifling sum of L.664,000, the national debt of Great Britain has been wholly contracted since the Revolution. At the accession of George II., in 1727, the principal of the debt amounted to L.52,000,000, and the interest to L.2,217,000. Here, however, the system of providing for every extraordinary expense, by resorting to loans, ought either to have been entirely, or at least partly, abandoned, and an effort made to raise the whole, or, at all events, a considerable part of the annual supplies, by means of a corresponding increase of taxation. But thus far, the system of loans seems to have been not only justifiable, but advantageous. Lord Bolingbroke, Dr Swift, and other writers of their party, have, indeed, alleged that the practice of funding was adopted, not because it was the best, or rather the only way, of raising money at the era of the Revolution, but in order to procure the support of the monied interest to the new government; and some Jacobite writers have

even gone so far as to insinuate, that King William purposely involved us in debt and difficulties, that the Hollanders might have the better chance of surpassing us in manufactures and commerce!* It would be useless, however, to waste the reader's time by any exposition of the falsehood of these calumnious imputations on the memory of our great deliverer. The least knowledge of the state of Great Britain at the period of the Revolution, must satisfy every one that funding was the only available means of raising supplies to which government could then resort; nor is it too much to affirm, that we are in a very high degree indebted to the aid which it afforded to the Revolutionary leaders, for the establishment of our free Constitution, and, by consequence, for the wealth and greatness to which we have since attained. Louis XIV., then in the zenith of his power, had espoused the cause of the exiled family of Stuart, and exerted himself to replace them on the throne. It would not, under any circumstances, have been an easy task to make head against a monarch, who was master of the greatest and best disciplined armies, and of the ablest generals and engineers, that had hitherto appeared in modern Europe. But the danger from without, though great and imminent, was inferior to the danger from within. James II. was master of almost all Ireland; and in Great Britain a numerous and powerful party were still favourable to his pretensions. Such being the state of affairs, it is evident that it was out of the question to attempt, by means of taxation, to raise the sums required to defray the heavy cost of the war it was necessary to wage for the independence and liberties of the country. Had any such attempt been made, it would have afforded the Jacobites the means of traducing the new government, of inflaming popular discontents, and most probably of overturning the revolutionary establishment. The land-tax was the only considerable addition made to the revenue during the reign of King William; and a considerable part of its produce was required to make up the deficiency caused by the loss of the hearth-duty, which government had been obliged to abolish, and by the falling off in the duties of tonnage and poundage. It is clear, therefore, that the difficulties of their situation —the peculiar and unprecedented circumstances under which they were placed—fully justify the revolutionary leaders in resorting to the system of loans. In point of fact, they had no

* History of the National Debts and Taxes, Part I. p. 17.

other resource. It is perfectly visionary to suppose that they could have raised a revenue equal to the exigency of the crisis by means of taxation. No doubt, on account of the supposed instability of the government, the terms on which the loans were made during the reigns of King William and Queen Anne, were very unfavourable. But their contraction was not a matter of *choice* but of *necessity*; and the terms on which they were negotiated, were but a trifling consideration, compared with the interests they were employed to secure. It was by the aid that they afforded that our free constitution was firmly established; that the ambitious projects of Louis XIV. were crushed; and the political ascendency of Great Britain secured.

The error into which we fell, consisted in the continuance of the system of loans after the new government had been consolidated, and after the country was in a state to bear a considerable increase of taxation. But although the insidious nature of the funding system was very soon exposed by Mr Hutcheson and other intelligent members in the House of Commons, and by writers of considerable ability out of doors, the facilities which it afforded to each succeeding administration, of meeting any extraordinary expense, without endangering their popularity by the imposition of equivalent taxes, secured its ascendency. Sound policy ought, however, to have led ministers to act differently, and to impose, in despite of the clamours of the ignorant, such additional taxes as might have sufficed to defray a much more considerable portion of the public expenditure; but the wish to conciliate public favour, to withhold from their opponents so fertile a topic of declamation and invective, as a sudden and considerable increase of taxation must always afford; and no doubt also the real difficulty of carrying the measure into effect, tempted them to persevere in the system of funding: and, in consequence, we are now subjected to a much greater permanent burden, on account of the interest of the debt, than would have sufficed to defray the cost of the most expensive war.

It has been already observed, that the principal of the public debt amounted in 1727, at the accession of George II., to *fifty-two* millions, and the interest to L.2,217,000. The wars of 1739 and 1756 carried the principal of the debt, at the peace of Paris in 1763, three years posterior to the accession of his late Majesty, to about 140 millions, and the interest to L.4,852,000. Since then the debt has increased with a rapidity unknown in any other country. The American war and the late French war occasioned an expenditure of blood and treasure

without parallel in the history of the world. The principal of the unredeemed funded and unfunded debt amounts at present to about 800 millions; and, in addition to the immense sums that have been thus raised by borrowing, the *gross* produce of the taxes levied in Great Britain during the late war reached the enormous amount of about 1250 millions! It might have been supposed that the expenditure of such prodigious sums would have encroached deeply on the capital of the country. But the rapid increase of population, the extension and improvement of agriculture, manufactures, and commerce, the formation of so many new docks, roads, and canals, and the infinite variety of expensive undertakings that were entered upon and completed during the continuance of hostilities, show clearly that this was not the case; and prove that the savings of the mass of the people greatly exceeded the warlike expenditure of government, and the unprofitable expenditure of individuals; and that the national capital had, in consequence, been proportionally increased.

Various speculations have been indulged in, with respect to what would have been our present situation had the wars that have occasioned the contraction of so large a debt, and the expenditure of such vast sums, not occurred. Dr Smith has given it as his opinion, that in the event of our having enjoyed perpetual peace since the Revolution, almost the whole sums that have been laid out on warlike enterprises, would have been added to the national capital, and that we should thus have been incomparably richer, more populous and powerful, than we really are.—'Had not these wars,' he observes, 'given this particular direction to so large a capital, the greater part of it would naturally have been employed in maintaining productive hands, whose labour would have replaced, with a profit, the whole value of their consumption. The value of the annual produce of the land and labour of the country would have been considerably increased by it every year; and every year's increase would have still more augmented that of the following year. More houses would have been built, more lands would have been improved, and those which had been improved before would have been better cultivated; more manufactures would have been established, and those which had been established before would have been more extended; and to what height the real wealth and revenue of the country might by this time have been raised, it is not perhaps very easy even to imagine.'*

* Wealth of Nations, vol. II. p. 119. M'Culloch's edit.

There are others, however, who differ entirely from Dr Smith in his opinions on this point; and doubt whether the capital of the country would have been in any degree greater than it is, had the American war and the late French war not occurred. A speculation of this sort is as evidently difficult as it is interesting; nor is it, perhaps, possible to come to a satisfactory conclusion with respect to it. But, though we cannot go the whole length of those who hold the opposite opinion to Dr Smith, still less can we agree with him in supposing, that had there been no war, *all*, or even the greater part of the immense sums expended in carrying it on, would have been added to the national capital. The gradually increasing pressure of taxation undoubtedly stimulated the industrious classes to make corresponding efforts to preserve their place in society, and gave a spur to industry and invention, and produced a spirit of economy, that we should have in vain attempted to excite by any less powerful means. Had taxation been very oppressive, it would not have had this effect; but it was not so high as to produce either dejection or despair; though it was, at the same time, sufficiently heavy to render a considerable increase of exertion and parsimony necessary, to prevent it from encroaching on the fortunes of individuals, or, at all events, from diminishing the rate at which they had previously been increasing them. To the excitement afforded by the desire of rising in the world, the fear of being thrown down to a lower station, superadded an additional and powerful stimulus; and the combined influence of the two produced results that could not have been produced by the unassisted operation of either. Without the war there would have been less industry, and less frugality; because there would have been less occasion for the exercise of these virtues; and therefore, it may, perhaps, be justly concluded, that the condition of the mass of the people would have been better had peace been preserved. But with respect to the capital of the country, it does seem to be extremely doubtful, whether it would have been materially greater than it is, had the tranquillity of the world been maintained uninterrupted from 1776 to the present time.

We trust that these observations will not be ascribed to any wish to extenuate the mischiefs inseparable from a state of war. Nothing, certainly, can be farther from our intention. No one can be a friend to humanity, and to the best interests of the human race, who is not also a decided friend to peace. But at the same time it is useless to exaggerate the evils of war; and, perhaps, were the subject properly investigated, it would be found that national struggles, how afflicting soever to humanity,

are not so unfavourable as is commonly supposed to the progress of civilization and the arts. But whatever opinion may be entertained on this point, we should recollect that wars, when undertaken in a just cause, and it is of such only that we are now speaking, are a means of avoiding a still greater evil; nor can it be doubted that the privations occasioned by the most destructive contest, are a very inferior evil to the loss of political independence and national existence. The sacrifices made by the Hollanders during their glorious struggle with the Spanish monarchy, when in the height of its power, have never been surpassed. But the liberty and independence that were the fruit of their heroic exertions, amply indemnified them for the protracted sufferings of forty years' incessant hostilities, and were the real source of their subsequent wealth and greatness. It is certainly most true, that no enlightened government will ever rashly engage in a contest, or will ever, indeed, engage in it at all, if it can possibly be avoided with safety and honour. But forbearance has its limits; and no people who set a proper value on their best interests, or entertain a just sense of what they owe to themselves, will ever hesitate about resorting to arms to repel and avenge foreign aggression, to vindicate their independence, or to defend their rights and liberties from outrage and attack.

> Summum crede nefas, animam præferre pudori,
> Et propter vitam, vivendi perdere causas.

It ought also to be observed, that it is not our intention in showing that the capital of the country increased during the late war, notwithstanding the vast increase of taxation, and of expenditure which it occasioned, to affirm that the country will *continue* to prosper, though the magnitude of our debts and taxes should sustain no diminution. This is an inference that cannot be fairly deduced from the statements already made. There were a variety of circumstances peculiar to the late war, which may not, and it is most probable, will not again occur. The extraordinary developement of the powers of manufacturing industry, caused by the inventions and discoveries of Watt, Arkwright, Crompton, Wedgwood, and others, by increasing our capacity to bear additional burdens, virtually lessened the weight of those already imposed; while the restricted intercourse with, and the unsettled state of the Continent, prevented foreigners from profiting by our inventions; and not only hindered capital from being withdrawn from this country in search of foreign investments, but actually occasioned the influx of a considerable amount of foreign capital. But the return of peace necessarily occasioned a material change in all these circumstances. Industry was relieved

by the cessation of the war expenditure; but, on the other hand, the effect of the heavy taxes that had been imposed during the war, and of the restriction on the importation of foreign corn, being no longer counteracted or rather concealed, by the operation of the constantly recurring loans bargained for by Government, the rate of profit has sunk comparatively low; so that we have not only had a less power of accumulation, but an irresistible temptation has been created to transfer capital to countries where the rate of profit is higher: and these circumstances, combined with the facilities afforded to foreigners since the peace, of negotiating loans in this country, and of rendering themselves familiar with all those arts and improved methods of production, to which we were indebted for our ascendency, have placed us under circumstances that are unquestionably difficult; and that render the adoption of some energetic measures for relieving the heavy pressure on the national resources indispensably necessary. We have no reason, however, to apprehend any immediate decline in any of the great branches of public industry. The influence of a low rate of profit in sapping national prosperity, manifests itself only by slow degrees. Perhaps, however, it is on this very account the more dangerous; since, by not disclosing its most fatal symptoms, until it has fastened on the vitals, and vitiated the whole public economy, it is allowed to attain to a baleful maturity, and infinitely stronger and more radical measures, are, in consequence, rendered necessary to stop its progress, than would have been required, had an adequate effort been made for that purpose at a more early period.

Let it not, therefore, be supposed, that because, owing to the peculiar circumstances under which the late war was carried on, it had comparatively little influence in retarding the progress of national advancement, the long-continued pressure of heavy taxation must not be, in the end, exceedingly injurious. But it is, at the same time, true, as we endeavoured to show in our last Number, that the difficulties under which we have laboured since the return of peace, have not really been occasioned so much by the pressure of taxes imposed to defray the interest of the public debt, and the national expenditure, as by the influence of monopolies established in favour of the landlords, and of some of the other classes. These are the abuses that call most loudly for amendment; and should it be found that their abolition is insufficient to relieve the country, recourse should then be had to ulterior measures.

In the infancy of the funding system, loans were most com-

monly raised in anticipation of the produce of certain taxes imposed for a limited number of years; it being supposed that the produce of these taxes for the term for which they were granted, would be sufficient to discharge the debt. But these expectations were rarely realised; and as the public necessities required the taxes to be mortgaged again for new loans, often before their former term was expired, they were prolonged from time to time, and were, at last, in almost every instance, rendered perpetual.

The statutory rate of interest at the commencement of the funding system, was *six* per cent, the reduction to *five* per cent not having taken place till 1714. But, owing to the supposed insecurity of the revolutionary establishment, the rate of interest paid for accommodations granted to the public, previously to the accession of George II., was generally much higher than the legal rate. In 1692, an attempt was made to borrow a million upon annuities for *ninety-nine* years, for which *ten* per cent was to be given for eight years, and *seven* per cent afterwards, with the benefit of survivorship during the lives of the nominees of those who contributed; but so low was the credit of Government at that period, that only L.881,000 could be procured even on these extravagant terms. None of the loans negotiated during the wars in King William's reign, was effected at less than *eight* per cent; and the interest was, in many instances, as in the one just mentioned, a good deal higher. The sums borrowed during the reign of Queen Anne were also obtained on very expensive terms.

Since the reign of Queen Anne, very little money has been borrowed, either upon annuities for terms of years, or upon those for lives. The practice of granting *perpetual* annuities, or annuities redeemable only on payment of the principal, has long superseded every other. And, notwithstanding the objections that have been urged against this practice, by Dr Price and others, we look upon it as decidedly the best that has hitherto been proposed. To show the principle on which the objections in question are founded, let us suppose that an annuity is granted for a hundred years: This annuity, according to the principles on which such computations are founded, is nearly equivalent to an annuity for ever, its value at four per cent, being twenty-four and a half year's purchase, and, therefore, only half a year's purchase less than its value were it perpetual. Supposing, therefore, that the public were able to borrow at four per cent on annuities for ever, it ought not to give above 1s. 7d. per cent more for money borrowed on annuities terminable in a hundred

years. But admitting that it might be obliged to give a *quarter* or even a *half* per cent more, those who advocate this system contend, that the additional burdens that would thus be imposed would hardly be sensible; and that the privations caused by them would, in any view of the matter, be inconsiderable, compared with the advantages that would result from the necessary and gradual annihilation of the debt.

'By such a method of raising money,' says Dr Price, 'the 'expense of one war would, in time, come to be always dis- 'charged before a new war commenced; and it would be im- 'possible that a state should ever have upon it at one time, the 'expense of many wars; or any larger debts than could be con- 'tracted within the limited period of the annuities; and conse- 'quently it would enjoy the invaluable privilege of being ren- 'dered, in some degree, independent of the management of its 'finances by unskilful or unfaithful servants.' *

But several most important considerations have been wholly left out of view in making this statement. In the first place, a considerably larger payment on account of interest would be required, if loans were made on such annuities, than Dr Price supposes. It is true, that an annuity for a hundred years is really worth nearly as much as a perpetuity, and ought, therefore, one should think, to form nearly as desirable a security to the lender. But the decisions of mankind with respect to money matters, are but rarely governed by pure mathematical principles. The trustees of public bodies, and all those individuals who buy into the funds in order to make family settlements, the prospective clauses of which frequently refer to remote posterity, would evidently feel disinclined to purchase into a fund whose value was continually diminishing; and such persons form a very large proportion of the holders of stock; and hence it is clear, that although the real value of an annuity for a long term of years, may be about the same with that of a perpetual annuity, it will hardly ever find nearly the same number of purchasers. Even the subscribers to a new loan, who generally mean to sell their subscription as soon as possible, invariably prefer a perpetual annuity, redeemable by Parliament, to an irredeemable annuity for a long term of years, of about an equal amount. The value of the former being always the same, or very nearly the same, it makes a more convenient transferable stock than the former.

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* Observations on Reversionary Payments, Seventh Ed. vol. I. p. 275.

But, in the second place, though it were true that terminable annuities were as readily negotiable at their *true* value as interminable ones, we should not, therefore, be disposed to recommend their adoption. No government ought ever to countenance any scheme of public finance, or indeed any institution of any sort, that has any tendency to weaken the providence and forethought of its subjects. But such, we very much apprehend, would be the effect of the adoption of any scheme of funding on terminable annuities, whether for a certain specified number of years, or for lives. The purchaser of an annuity terminating with his life, is, in almost every instance, desirous, not only of consuming the interest of his capital, but also the capital itself; and the same principle most commonly influences, though not, perhaps, to the same extent, the greater number of the purchasers of annuities terminable at specified, and not very distant periods; and if the granting of such annuities were countenanced by Government, and they were established on a large scale, it seems natural to conclude that the odium which now attaches to such investments would be gradually weakened, and that numbers of individuals would be tempted, by the immediate addition it would make to their incomes, to invest their capitals either in life annuities, or in annuities which they supposed would most likely terminate nearly at the same period as their lives. If a practice of this sort should ever make any considerable progress among the bulk of the community, it would be productive of the very worst consequences, both in a moral and economical point of view. A person whose income is derived from an annuity payable by the state, can, in a great measure, dispense with that good opinion of his neighbours which is so essential to all individuals engaged in professional or industrious employments; and if he is the holder of an annuity for life, or for a term of years, and is anxious only to consume the whole of his fortune, without caring about those who are to come after him, he ceases, in a great measure, to feel any interest in the public welfare, and becomes wholly selfish in the literal and degrading sense of the term.

Nothing, therefore, would, in our apprehension, be more injurious than the establishment of any system in the management of the finances of a great nation, that might, by possibility, tend to generate and spread those purely selfish and unsocial passions, which lead individuals to consider their own interests as everything, and those of others as nothing. No doubt, a considerable time would most probably elapse in a country where the feelings of society are so much opposed to this selfish system

as in England, before any change of circumstances could enable it to obtain any very considerable footing. But, though insensible at first, its influence might ultimately become very extensive and powerful; and if so great a stimulus were given to it as would result from the conversion of any considerable part of the national debt into annuities terminable in periods of moderate duration, its introduction might be more rapid than it is perhaps very easy to imagine.

A large proportion of the present holders of funded property consists of individuals not engaged in business, who subsist either wholly or partly on the dividends, and leave the principal to their children or relations. But if the principal belonging to these persons were turned into a terminable annuity, it is plain that at its termination, they, or their heirs, would be left destitute, unless they had effected an insurance with some society, or accumulated, in some way or other, such a portion of their annuity as might suffice to yield a corresponding revenue when it terminated. But these are all operations that require an acquaintance with business, and a peculiar combination of circumstances, to enable them to be carried into effect; and it appears quite obvious that very many holders of funded property would, from thoughtlessness, want of opportunity, want of information, and a thousand other causes, either never think of the matter at all, or be induced indefinitely to postpone it. In this way the system would most probably be introduced with infinitely greater rapidity than we might at first be led to suppose; and as it obviously strikes at the very foundations of the principle of accumulation, and of all those habits which are most conducive to the interests of society, it ought to be counteracted in every possible way; and, at all events, ought never to receive the least countenance, whether direct or indirect, from Government.

Annuities for lives have sometimes been granted upon schemes called *Tontines*, from Tonti, an Italian banker, by whom they were first proposed. In tontines, the benefit of survivorship is allowed. The subscribers usually appoint nominees, who are divided into classes according to their ages, a proportional annuity being assigned to each; and, when any of the lives fail, the amount of the disengaged annuity is divided amongst the survivors so long as any remain, or until the annuity payable to each amounts to a large sum, according to the terms of the scheme.

More money ought to be raised upon an equal revenue appropriated to a tontine annuity, than upon annuities for separate

lives; inasmuch as an annuity with a right of survivorship is worth more than an equal annuity for a single life. But, notwithstanding this circumstance, tontines seem to us to be about the very worst means that have been devised for raising money. They are, in fact, a species of lotteries; and, besides having the same influence in leading people to convert their capital into revenue as annuities for lives, or annuities terminable at specified periods, they contribute powerfully to diffuse a taste for gambling. Life annuities are, also, in almost every respect, more advantageous for the holders, inasmuch as they yield a constant and equal revenue from the outset; whereas, in tontines, an individual gets at first only a comparatively small revenue, and trusts chiefly to the chance, which, in most cases, must prove unfavourable, of out-living the other subscribers, and attaining to ease and opulence in old age.

In addition to these objections to the establishment of tontines, it may be observed, that it is very difficult to establish them on sound principles, or according to the rules deduced from the theory of probabilities. The authors of such schemes are principally desirous of presenting them under the most attractive forms. The different classes of subscribers are not arranged with sufficient care, so that some individuals have an undue advantage over others. To establish a fair tontine, it would be indispensable to class together none but individuals of the same age, and who were placed under nearly the same circumstances; and to enact, that the entire annuity of each class should always go to the last survivor. But it would be impossible to establish any extensive tontine upon such principles, that is, on principles that would render the chances of the subscribers equal, and fully worth the sums paid for them.*

A very large proportion of the old public debt of France was raised upon tontines; most of which were contracted for in the most improvident manner on the part of the public, and on the most unequal terms on the part of the subscribers. And the fact, that previously to the Revolution, a very large proportion of the people of France evinced the strongest desire to embark in these schemes, or to convert their capitals into life-annuities, dependent on contingencies, and that a spirit of gambling had been widely diffused amongst the lower and middle classes, is a practical proof of the correctness of the conclusions we have al-

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* Lacroix, Traité Elémentaire des Probabilités. Ed. Seconde, p. 235.

ready drawn on general principles; and shows the extreme impolicy of establishing any system which may either teach individuals to disregard the interest of their heirs, or to trust to combinations of chances for the acquisition of that opulence, which, speaking generally, can only spring from industry and economy. Fortunately, however, this pernicious practice of borrowing upon tontines has been discontinued since the Revolution; and funding is now effected in France as in England, by granting interminable annuities redeemable at pleasure.

Tontines have been very seldom attempted in England; the last that was undertaken was in 1779, and proved a losing concern to the contractors.

Presuming, therefore, that the advantage of funding in perpetual annuities, redeemable at pleasure on payment of the principal, has been sufficiently established, we have next to inquire into the best method of constituting these annuities.

The credit of nations, like that of individuals, is liable to vary from the operation of many different causes; and though their credit were uniform, they would necessarily experience more or less difficulty in obtaining supplies upon loan, according to variations in the amount of their floating capital, and the facilities for its profitable employment in industrious undertakings. It is obviously impossible, therefore, that public loans can always be negotiated on the same terms; and in point of fact, they are perpetually varying.

But it is plain, that in contracting for a loan, there are only two elements that can be varied—the principal and the interest. Suppose that it has been usual for individuals to make advances to Government on receiving L.100 of *four* per cent stock for every L.100 advanced; and suppose further, that from some cause or other, money can no longer be obtained on these terms—Under such circumstances, two courses are open, viz. (1) Either to give the lender a right to a greater amount of stock than the money he actually advanced amounted to, and to allow him interest on that stock; or, (2) To restrict the stock created, in the lender's favour, to the amount of the loan, and to make the required bonus by raising the rate of interest. The first of these plans is that which has been usually followed in this country; but we are very far, indeed, from thinking that it deserved any such preference.

The system of funding to a greater extent than the money actually borrowed amounted to, began in the reign of Queen Anne; but it was not carried to any very great extent till the war terminated by the treaty of Aix-la-Chapelle. About that time, however, the public debt began to be considered in the

light of a permanent incumbrance, which it was supposed could never be redeemed; and it was, therefore, thought better to dispose of variable quantities of stock bearing a uniform rate of interest, according to the state of the market at the time, than to fund the same principal sums at different rates of interest. At first this practice was infinitely less objectionable than it has since become. The price of stocks, during the reigns of George I. and II., did not diverge materially from par; and until the rebellion of 1745, the three per cents had never fallen below 89. But the same practice has been pursued ever since, even when the three per cents have sold for little more than half their nominal value; and it is therefore clear, that if any considerable progress were now, or at any future period, to be made in paying off the public debt, the three per cents would immediately rise to *par*, or near it, and we should in consequence, be obliged to pay L.100, when perhaps we only received L.50 or L.60.

It must, however, be admitted, that the plan of funding a large capital in a stock bearing a low interest, has some advantages over the plan of funding a less capital in a stock bearing a high interest. The fluctuations in the price of the former species of stock being more considerable than in the latter, it affords a better field for speculation: And the confidence placed by all individuals in their own sagacity and good fortune, naturally disposes them to buy that species of stock which affords, what they conceive to be, the best opportunities for increasing their capital. It has been most commonly supposed that it was exclusively in consequence of this principle that the late five per cent stock always bore a lower relative value than the three per cents; or, which is the same thing, that a given sum of money applied to purchase five per cents, always yielded a higher rate of interest than if it had been applied to purchase three per cents. But although the circumstances previously mentioned must, undoubtedly, have had some influence in raising the value of the three per cents, as compared with any other species of stock yielding a higher interest, it will be afterwards seen that the discrepancy in question, was mainly owing to an entirely different circumstance.

Mr Ricardo seems to have inclined to the opinion, that the increased charge for interest, had the loans been made for an equivalent amount of stock, would have equalled, or perhaps exceeded, the advantage gained by the reduction of the principal.* But notwithstanding the deference due to so great an

* Article, Funding System, Supplement to Encyclopædia Britannica, vol. IV. p. 421.

authority, we confess we see no grounds whatever for coming to this conclusion. If, indeed, the public debt is to be regarded in the light of a permanent burden; and if no efforts are ever to be made to lessen its amount, either by the operation of a really efficient sinking fund, or any other means, then, of course, the payment on account of interest is the only thing that ought to be attended to, and the magnitude of the principal must be a matter of complete indifference. Surely, however, this is not the view that ought to be taken of the debt. It appears to us that the best interests of the country imperiously require that a vigorous effort should be made to reduce its amount; and no one was more fully impressed with a conviction of the necessity of some such effort, than Mr Ricardo. But if we ever act on the principle he recommended, of assessing the national capital to pay off either the whole or a considerable portion of the public debt, as explained in our last Number; or if we ever apply a considerable surplus revenue to the purchase of stock, we shall assuredly find that the system of funding large nominal capitals has been a most improvident one. As there is no way, or none at least that is just and honourable, and it is to be hoped that we shall never resort to any of a different description, of reducing the annual charge on account of the public debt, except by paying off the principal, it is clearly of the utmost consequence that *it* should be kept within the narrowest limits possible.

Besides, though it be true, as has been previously stated, that four and five per cent stocks have always borne a lower relative value in the market than three per cent stock, it is not really true that this lower value has been either wholly, or even principally, caused by the greater scope for speculation afforded by the three per cents. Those who held, or who speculated in five per cent stock, were aware, that in the event of its rising to par, as it ought to have done, when the three per cents rose to 60, it would be in the power of government to reduce the interest on it—an event which actually took place, and from the specific cause now assigned, in 1822. Hence it is plain, that at least one per cent, or rather one and a half per cent, of the dividends payable on five per cent stock, could only be considered in the light of a *short annuity*. Any given annuity derived from the five per cents, was not therefore really worth so much as an equal annuity derived from the three per cents; nor did they, from their liability to be reduced, constitute so advantageous a fund in which to make investments. It is plain, that the same principle must also hold in the case of the four per cents; their relative value must always be somewhat depressed,

as compared with the three per cents; for if it were not, they might be paid off, and the dividend reduced to three per cent.

It is also abundantly obvious that a very small increase of interest would be sufficient to balance the chance that funding in a stock at low interest gives of increasing the stockholder's capital. The additional rate of interest begins to accrue from the moment that the loan is bargained for; whereas the chance of a rise of the funds depends on the termination of the war, on the state of the revenue when it is terminated, and a thousand other contingencies. We have heard persons well versed in such subjects affirm, that an addition of from one-fourth to one-half per cent of interest more than was actually bargained for, would have enabled government to have funded all the loans contracted during the late war, without any artificial increase of capital.

But the grand recommendation in favour of the plan of bargaining for loans, by offering such a rate of interest as may be required to procure them at the time, without creating any fictitious capital, consists in the facility which it affords of reducing the charge on their account during a period of peace. Under the system of increasing the interest on loans, by funding a greater capital than is actually received by Government, the country is prevented from profiting by the means which peace almost invariably brings along with it, of raising money at a less cost. Thus, if a loan had been made during the late war, and an equivalent amount of stock had been created, bearing five or even six per cent interest, it would long since have been in the power of Government to reduce the charge, on account of this loan, to three, or at most three and a half per cent, by offering to pay off the principal, in the event of the holders refusing to agree to the reduction. But under the system that has unluckily been adopted, of funding a large fictitious capital at a low rate of interest, the total charge for interest is rendered very near as high as it would have been, though no fictitious capital had been created, while it has become quite impossible to reduce it, without being previously in a condition to pay off the fictitiously increased capital at par.

The statements now made, and the inferences drawn from them, are so obvious and natural, as hardly to require any confirmation. It may, however, be worth while to mention, that they are not advanced on any speculative or doubtful hypothesis, but that they rest on the solid and unassailable ground of fact and experiment. The additions made during the reigns of King William and Queen Anne, to the principal of the public debt, over and above the sums borrowed, were of comparatively trifling

amount; and hence Sir Robert Walpole, by availing himself of the facility with which money was obtainable after the treaty of Utrecht, was enabled, in 1716, to reduce the annual charge on account of interest, from L.1,598,602 to L.1,274,146, being a saving of L.324,456 a-year. In 1749, during the administration of Mr Pelham, the interest on the greater portion of the public debt was again reduced from *four* to *three* per cent—a measure which produced a saving of about L.565,600 a-year.

But in despite of the practical and decisive proofs that had thus been afforded of the advantage of funding a smaller amount of capital, in a stock bearing a high rate of interest, in preference to funding a larger amount of capital in a stock bearing a low rate of interest, the latter plan has been almost uniformly followed since the commencement of the American war; and we are, in consequence, compelled to pay, on the loans so contracted, the same rate of interest during peace, that was sufficient to cause the subscribers to come forward during the agitation and alarm, incident to a state of hostilities!—We shall endeavour, in as few words as possible, to make our readers acquainted with the practical operation and real effect of this most improvident system.

In 1781, a loan of twelve millions was negotiated; and for this sum Government gave L.18,000,000 of three per cent stock, and L.3,000,000 of four per cent stock. On the whole, therefore, L.660,000 of interest was paid for this loan, being rather more than five and a half per cent, and a fictitious capital was created in favour of the lenders of no less than *nine* millions! But it is obvious, that had this loan been negotiated without any increase of capital, at six or even six and a half per cent, the charge on its account might have been reduced in the course of half-a-dozen years, to three or three and a half per cent on the twelve millions actually borrowed; whereas, owing to the mode in which it was contracted, nothing could be deducted from the annual charge, without being previously prepared to offer the holders twenty-one millions for the twelve they had originally advanced.

Nothing, we are sorry to say, is more easy than to point out innumerable instances of this sort, in which the public interests have been sacrificed, not intentionally, indeed, but through ignorance, or a desire to grasp at an immediate advantage, in the most extraordinary manner. The very next loan, negotiated by Lord North, in 1782, was for L.13,500,000, for which Government gave L.13,500,000 three per cents, and L.6,750,000 four per cents, exclusive of an annuity of 17s. 6d. for every L.100 advanced, for seventy-eight years. The country was, in this way, bound to pay an interest of L.793,125 a-year, inclusive of the

annuity, being at the rate of L.5, 16s. 10d. per cent; and it was rendered impossible to reduce this heavy charge at any future period, without previously consenting to sacrifice L.6,750,000!

But it is unnecessary to go back to the American war for proofs of the extreme inexpediency of funding in this manner. Most of the loans negotiated during the late war were funded in the same way; and some of them on still more ruinous and improvident terms on the part of the public. Thus, according to the terms on which a loan of L.18,000,000 was bargained for in 1795, a capital of L.21,000,000 three per cent stock, and L.4,500,000 four per cents, exclusive of a long annuity of L.58,500, were assigned to the subscribers. But the terms of the loan of L.13,000,000 negotiated in 1798, were still more extravagant; for every L.100 advanced entitled the lender to L.175 three per cent stock, L.20 four per cent stock, and an annuity of 6s, for 62¾th years; or, in other words, for every L.100 advanced to government, it bound the country to pay an annual interest of L.6, 1s. 0d., exclusive of the long annuity of 6s.; at the same time, that, by funding in a three and four per cent stock, it was rendered impossible to reduce this heavy charge on account of interest, except by the sacrifice of about as large a capital as had been originally advanced! We admit that this was a period of unusual difficulty; but nothing can excuse the unparalleled improvidence, to call it by no harsher name, of those who arranged the terms of this loan on the part of the public. It is true certainly, that the exigency of the crisis required that a higher bonus than ordinary should be offered to the subscribers, and no just objection could have been made to granting them such an increased rate of interest as might have been necessary to induce them to come forward. This, too, was, in fact, what was really done; but *owing to the way in which it was done*, by granting the subscribers three and four per cent stock to very nearly *double* the amount of the money they had advanced, instead of an *equal* amount of six or even seven per cent stock, the burden was rendered *perpetual*, and the public effectually prevented from so much as attempting to reduce it at any future period.

But no experience of the pernicious effects of this system, and no change of circumstances, were sufficient to induce our Finance Ministers to abandon it. Accordingly, when a loan of the immense amount of L.27,000,000 was bargained for in 1815, it was stipulated that every subscriber of L.100 should be entitled to L.174 three per cent stock, and L.10 four per cent stock, yielding together an interest of L.5, 12s. 4d. per cent. The improvidence of this transaction is glaring and obvious.

There can be no manner of doubt that an addition of from one-fourth to one-half per cent, would have procured this loan without any increase of principal; but, supposing that one per cent additional interest had been required, instead of being subjected to a constant payment *in all time to come*, of L.5, 12s. 4d. for every L.100 advanced, we should have had L.6, or L.6, 10s. to pay for three or four years, and L.3, or at most L.3, 10s, ever after!

This, we beg our readers to remark, is not in any respect hypothetical reasoning; for, in the very same year in which the loan now referred to was negotiated, upwards of eleven millions of Exchequer bills were funded, at the rate of L.117 five per cent stock for every L.100, affording consequently an interest of L.5, 17s. per cent, being only 4s. 8d. per cent* more than was paid for the loan of that year, though the subscribers to the latter had L.84 of artificial capital created for every L.100 advanced, and the holders of Exchequer bills only L.17. But this is not all. In consequence of the measures adopted in 1822, for reducing the interest on the five per cents, the charge on account of the Exchequer bills funded in that stock in 1815, cannot now exceed L.4, 12s. 9d.; and if, instead of raising the principal to L.117, a six per cent stock had been created, the charge would have been reduced to four per cent.

But the effect of this system may be set in a still more striking light, by bringing the results of the different operations connected with the Funding System during the late war into one point of view. For this purpose, we have prepared the following table:—

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* This, however, as Dr Hamilton has observed, represents the difference of interest of an equal sum funded in the three and five per cents, as greater than it really is. In loans the public pay the whole interest for the year in which the loan is contracted, though it is paid by instalments, or, if otherwise, discount is allowed. When a loan is made in five per cent stock, this advantage is fully equivalent to an additional capital of 50s. on every L.100 advanced, or to a constant payment of 2s. 6d. a-year. But as no such advantage is gained in the funding of bills, it follows that this sum ought to be deducted from the greater interest (4s. 8d. per cent) paid on the capital funded in the five per cents; so that it is plain that the payment of so small a sum as 2s. 2d. per cent of additional interest in the meantime, was all that was required, in the instance referred to in the text, to balance an artificial capital of L.67 (L.184—L.117) on every L.100 advanced; and at the same time, to secure to the public the power of reducing the interest on the loan from five and a half per cent to three or three and a half, at the termination of the war! And yet our financiers refused to purchase such advantages at such a cost.

ACCOUNT of LOANS contracted in each year from 1793 to 1816, both inclusive; of the Amount of all sorts of Stock created on account of these Loans; of the total Interest or Dividend payable on them; of the portions of said Loans paid to the Commissioners of the Sinking Fund; of the Amount of all sorts of Stock purchased by said Commissioners; and of the Amount of the Dividends on said Stock.* (From the Parliamentary Paper, No. 145, Sess. 1822.)

Years ending 1st February	Amount of Loans contracted in each year.	Amount of Stocks of all kinds created.	Total Annual Charge of Dividends and Annuities on such Stock.	Account of the Portions of the Loans paid to the Commissioners of Sinking Fund.	Account of all Funds or Stocks of every description purchased by the Commissioners of Sinking Fund.	Amount of Dividend on Stock purchased by Commissioners.
1794.....	£4,500,000 0 0	£6,250,000 0 0	£187,500 0 0	£1,630,615 1 4	£2,174,405 0 0	£ 65,232 3 0
1795.....	12,977,451 2 2	15,676,525 12 5	509,117 18 11½	1,872,300 4 2	2,804,945 0 0	84,148 7 0
1796.....	42,090,646 3 2	55,539,031 3 9	2,132,368 17 10	2,145,595 16 1	3,083,455 0 0	97,573 13 0
1797.....	42,756,196 2 0	56,945,569 1 9	2,274,328 4 8½	2,639,724 9 5	4,390,670 0 0	131,720 2 0
1798.....	14,620,000 0 0	20,019,300 0 0	935,379 0 0	3,561,752 11 3	6,716,153 0 0	201,484 11 9½
1799.....	18,000,000 0 0	25,624,250 0 0	1,105,402 10 0	3,984,252 13 2	7,858,109 0 0	235,743 5 4½
1800.....	12,500,000 0 0	21,875,000 0 0	656,250 0 0	4,288,208 15 0	7,221,538 0 0	216,640 2 9½
1801.....	18,500,000 0 0	29,045,000 0 0	871,350 0 0	4,620,479 1 7	7,315,002 0 0	219,450 1 2½
1802.....	34,410,450 0 0	55,954,312 10 0	1,775,530 10 4½	5,117,723 2 2	8,091,454 0 0	249,593 12 4½
1803.....	23,000,000 0 0	30,351,375 0 0	910,541 5 0	5,685,542 6 6	7,755,421 0 0	246,256 12 7
1804.....	10,000,000 0 0	16,000,000 0 0	512,083 6 8	6,018,179 8 9	10,527,243 0 0	315,817 5 9½
1805.....	10,000,000 0 0	18,200,000 0 0	546,000 0 0	6,521,394 7 2	11,595,692 0 0	344,710 15 2½
1806.....	21,526,699 6 5	35,543,125 13 3	1,140,951 12 5½	7,181,482 3 3	12,234,064 0 0	367,021 18 4½
1807.....	18,000,000 0 0	29,880,000 0 0	896,400 0 0	7,829,588 19 3	12,807,070 0 0	384,212 2 0
1808.....	12,200,000 0 0	18,373,200 0 0	577,060 0 0	8,908,673 17 5	14,171,407 0 0	425,142 4 2½
1809.....	12,000,000 0 0	18,693,253 10 0	587,743 15 6	9,555,853 9 1	15,965,824 0 0	435,757 14 4½
1810.....	19,532,100 0 0	29,173,644 17 0	947,312 4 3	10,170,104 15 9	14,352,771 0 0	453,923 2 7
1811.....	16,311,000 0 0	19,811,107 10 0	765,455 7 6	10,813,016 15 9	15,659,194 0 0	481,442 16 4½
1812.....	24,000,000 0 0	29,244,711 12 3	1,191,735 11 6½	11,543,881 3 7	18,147,245 0 0	544,417 7 0
1813.....	27,871,325 0 0	40,743,031 0 0	1,486,271 11 0	12,439,631 19 5	21,108,442 0 0	633,253 5 2½
1814.....	58,765,100 0 0	93,731,523 0 0	3,230,699 18 4½	14,181,006 5 4	24,170,867 0 0	723,626 0 2½
1815.....	18,500,000 0 0	24,694,830 0 0	851,532 18 0	15,748,231 12 3	19,149,684 0 0	574,490 10 4½
1816.....	45,135,589 3 6	70,888,402 16 0	2,577,920 2 9½	11,902,051 2 8	20,280,098 0 0	608,402 18 9½
1817.....	3,000,000 0 0	3,000,000 0 0	90,000 0 0	11,491,670 2 6	18,515,556 0 0	555,536 13 7
	520,121,556 17 1	776,257,193 6 5	26,849,814 12 9½	176,648,860 2 8	283,824,109 0 0	8,595,597 5 2½
Loans raised on account of Ireland in Great Britain.	64,750,000 0 0	103,052,750 0 0	3,324,549 11 8	11,873,489 16 10	19,067,846 0 0	572,635 7 5½
Total sum raised,	584,874,556 17 1	872,289,943 6 5	30,174,364 4 5½	188,522,349 19 6	302,908,955 0 0	9,168,232 12 8
Deduct sums raised on account of S. Fund,	188,522,349 19 6	302,908,955 0 0	9,168,232 12 8			
Balance,	£396,352,206 17 7	569,380,988 6 5	21,006,131 11 9½			

*** The entire capital of the *unredeemed funded* debt of Great Britain and Ireland, amounted, on the 5th Jan. 1827, to . . . £783,801,739

Interest thereon, ...	29,892,745
Charges on account of management	279,066
The *unprovided unfunded* debt amounted, on 5th Jan. 1827, to .	23,793,200
Interest on do.	831,207

* This account extends, in the original, to seven folio pages. Like most other accounts, published by order of Parliament, it is not added up; nor are its results brought into one point of view.

Now, in the first place, this table exhibits the total amount of the loans contracted during the late war—the amount of stock created on account of these loans, and the dividends payable on that stock; in the second place, it exhibits the amount of the loans transferred to the Commissioners of the Sinking Fund—the amount of stock purchased by them, and the dividends payable on that stock; and, in the third place, it exhibits the excess or surplus of the loans, stocks, dividends, &c. contracted and created during the war, after those on account of the Sinking Fund have been deducted.

It appears, then, that the sums borrowed on account of the public service, during the late war, really amounted to L.396,352,206; and it also appears, that an excess of L.173,028,782 (L.569,380,988 —L.396,352,206) of capital or stock was created in favour of the lenders, over and above the sums advanced by them, being at the rate of nearly *fifty* per cent on the sum lent. And it further appears, that the whole annual charge on account of the money borrowed during the late war, amounted, at its close, to L.21,006,131, being at the rate of about 5¼ per cent.

But it is evident, that had the sums thus borrowed been funded without any artificial increase of capital, in a 5½, a 5¾, or a 6 per cent stock, the charge on account of interest might now have been reduced from 5¼, to 3 or 3½ per cent, or from *twenty-one* to *twelve* or *fourteen* millions!

The total British and Irish *five* per cent stock, amounted in 1822 to about 150 millions; and by the reduction of interest which then took place, a saving of about L.1,200,000 a-year was effected. But had the whole debt, instead of a small fraction of it, been funded in the five per cents, the saving effected in 1822 would have been from *five* to *six* times as great; and had it been funded, without any increase of capital, in stocks bearing such a rate of interest as might have been necessary to induce the lenders to come forward, the saving would have been *ten* times as great.

It may be said, perhaps, that the loss to the public by funding large nominal capitals, instead of granting an adequate rate of interest on the capital really borrowed, in the event of the debt being ever paid off, is not so great as we have represented, inasmuch as the excess of interest payable to the fundholders under the system we have proposed, must be supposed to accumulate at compound interest up to the period when the debt is to be paid off, in order to obtain a fair ground of comparison. It must, however, be observed, that the great and signal advantage of funding in the way we have recommended, consists in the circumstance, that the public would not have to wait for a reduc-

tion of the charge on account of debt contracted during a war, until either the whole or a part of that debt could be paid off, but *only until the return of peace*, when it would be in a situation to borrow at a much less charge. And supposing that the objection really applied, it is but of very trifling importance; for, supposing that, in order to save 7s. per cent of interest, the principal of a loan has been artificially increased L.50 for every L.100 advanced, it would require *forty-three* years before this saving of interest, supposing it were constantly accumulated at five per cent, would amount to that sum; and if it were only accumulated at three per cent, the term would be about twice as long. Independently, however, of these considerations, which conclusively show that the objection in question, even if it were well founded, does not practically affect any one of the conclusions we have endeavoured to establish, it is easy to see that it is very nearly, if not entirely, without foundation. The principle of the objection supposes that an increase of taxation has no tendency to increase the industry and economy of the people; and it farther supposes, that if the burdens it lays on them were diminished, their industry would not be slackened nor their expenditure increased, but that they would live and exert themselves precisely as before, accumulating whatever they saved, by the reduction of taxation, at compound interest! Both of these suppositions are, when pushed to this extent, wholly destitute of foundation. An increase of taxation, provided it be not carried to an excess—for then it is productive only of despair and misery—has the same effect upon a nation that an increase of his family, or of his necessary expenses, has upon a private individual. It stimulates every one to make greater efforts to preserve his place in society; and is often, in this way, the cause of a much greater amount of wealth being produced than is swallowed up by the tax. A diminution of taxation has necessarily an opposite effect. It enables individuals to preserve their place in society with less industry and economy, and they are, therefore, less practised. Accumulation is certainly one of the strongest passions of the human breast, but it is not the only one. Whenever the condition of society is improved, whether by a remission of taxes, an increase in the productive powers of industry, or any other cause, the scale of expenditure, to which, indeed, accumulation is only subservient, is uniformly increased.

We do not, therefore, think that there is the shadow of a ground for supposing that so small an increase of taxation during the war, as would have been required to defray the higher interest of the loans then contracted, had they been funded without any additional capital, would have rendered the capital

of the country in any degree less at its close than it actually was. But if they had been funded on this plan, the interest on their account might have been long since reduced from about *five* to *three*, or at most *three-and-a-half* per cent, which would have been a saving of from *eight* to *nine* millions a-year: At the same time, that if we ever have a really effectual sinking fund, or if we ever assess the capital of the country to pay off either the whole or any portion of the public debt, we should have been able, on this plan, to cancel it on paying the same sums we had borrowed; whereas we shall be obliged, in consequence of the system we have adopted, to give about L.150 for every L.100 originally lent to us!

It is obvious, from these statements, that the grand error of our Finance Ministers, from the accession of George II. downwards, has consisted in their attempting to secure a inconsiderable present advantage at a great ultimate cost. The extra sums required for the public service upon any emergency, have uniformly been raised by resorting to the same miserable expedients that are the last resource of private individuals, without either character or credit. To save 5s. or 7s. of interest for perhaps three or four years, we have not scrupled to bind ourselves, under the penalty of sacrificing nearly double the principal, to pay five per cent for such money in all time to come, instead of three or three and a half per cent, for which we might have borrowed it at the termination of the war. And when our debts have, in consequence of the adoption of this prodigal and profligate system, swelled to an oppressive and ruinous amount, instead of making any vigorous and adequate effort for their reduction, we leave our deliverance to be brought about by the operation of wonder-working pennies, and the legerdemain quackery of sham sinking funds!

But for the delusion caused by the *dead weight*, there would not at this moment be even the shadow of a sinking fund. The total *net* income of the Empire, during the year ended 5th January last, (1827), according to the official statement given in the Finance Accounts, (p. 18), amounted to L.60,282,374, and the total expenditure to L.59,272,925, leaving an apparent excess of L.1,009,449 of revenue over expenditure. But a sum of L.4,380,000 is set down amongst the items of revenue, as having been received from the trustees of naval and military pensions, while, on the other hand, a sum of L.2,800,000, issued to the said trustees, is set down amongst the items of expenditure, making an excess of receipt of L.1,580,000. Now, the whole of this sum, so falsely represented as revenue, really consists of a *loan* obtained from the Bank of England, which, in return for

this loan, and others of the same sort, advanced by it since 1822, and to be advanced in 1828, has obtained an annuity of L.585,740, to continue for *forty-four* years! The whole thing is obviously, therefore, a miserable piece of jugglery, utterly unworthy of the government of a great country. We are not of the number of those who object to the policy of having a real sinking fund; but this cannot be obtained otherwise than by increasing the revenue, or diminishing the expenditure. We have yet to learn what good purpose can be served by publishing in the official accounts, that there is an excess of one million of revenue above expenditure, when, in point of fact, the revenue is half-a-million *less* than the expenditure.

The real truth is, and we scruple not to avow it, however strange the statement may at first sight appear, that our Finance Ministers have universally discovered too great a disinclination to tax, or at least to tax at the proper period. They have on no occasion exerted themselves fairly to meet the difficulties of the country as they arose; they have been anxious only to put off the evil day; and have thus allowed our debts and incumbrances to increase to an extent that threatens to crush all the energies of the nation. We are very far, however, from throwing the whole blame of this conduct on ministers. "The ignorant impatience of taxation" evinced, in many instances, by the public, powerfully contributed to induce them to resort to the miserable expedients already described. But, notwithstanding this circumstance, ministers might, and ought, on innumerable occasions, to have acted with more vigour. Though they had not been able to raise taxation to such a height as to defray the entire expenses of the war, it was their duty to carry it to the highest practicable limit; and at all events it is clear that there could have been no difficulty whatever in raising it so as to make it defray the additional charge that would have been required on account of the loans, supposing them to have been contracted without any increase of capital.

We do not wish to speak with any undue confidence on such a point, but we do not see why an income-tax of ten or twelve per cent might not have been imposed and collected during the American war; and if Mr Pitt had imposed a tax of the same amount in 1793, it would have been much less injurious to the commerce and industry of the country, than the additions that were then made to the custom and excise duties; while, by raising a large additional revenue, it would have obviated the necessity of funding so largely, and on such disadvantageous terms, during the first nine years of the war.

We do, therefore, hope, that in the event of another war

breaking out, no attempt will be made to revive that improvident and prodigal system acted upon in former wars. If we must have loans, let such a rate of interest be offered to the subscribers as may induce them to accommodate the public, without receiving the smallest increase of capital. Loans ought not, however, to be resorted to, except to make up unavoidable deficiencies of revenue; and before they are thought of, a tax of at least ten or twelve per cent ought to be made to affect, indiscriminately, every species of income, whether derived from property or industry.

In order to exhibit the effect of a low rate of profit in causing the efflux of capital, we beg to subjoin the following table, containing a statement of the money raised in England on account of foreign loans, during the ten years ending with 1825. This table is extracted from the third edition (p. 112) of Mr Marshall's Statistical Illustrations of the British Empire—a work which, with the exception of the prefatory and explanatory matter, we can confidently recommend to our readers, as containing within a small compass, a vast quantity of information, carefully brought together from Parliamentary papers and other authentic sources, and set in the clearest point of view. We also embrace this opportunity, to recommend to all who take an interest in these subjects, Mr Moreau's Records of British Finance, from the earliest accounts to the present time. This work reflects the greatest credit on the industry of the author, and displays to great advantage his singular talent for compressing and arranging accounts. It is at once elaborate and luminous; and will bear a favourable comparison with any of his former works; or, indeed, with any statistical work that has hitherto been published. We have examined it with some care; and we can take upon ourselves to say, that there are very few facts connected with the history of our finance, that are not to be found in it.

STATEMENT of the Amount of Money raised in England during the Ten Years, 1816—1825, on Account of LOANS to Foreign Governments, specifying the Amount to each Respective Country; Annual payment on account of the same; Rate ℔ Cent. of Contract, with the extreme variation on the same since contracted for.

Years		Countries for which raised	Amount of CAPITALS Created £	Rate ℔ Ct. ℔ Annum	Annual Obligation £	Rate ℔ Ct. of Contract	Amount of Money raised by ENGLAND £	Extreme Rates max.	Extreme Rates min.
1818	1	Prussia	5,000,000	6	250,000	72	3,600,000	99	71
1822	2	Do.	3,500,000	5	175,000	84	2,940,000		
1820	3	Spain	3,000,000	–		47	3,820,000		
1	4	Do.	3,000,000	–					
2	5	Do.	3,000,000	–	700,000	54	3,240,000	74	8
–	6	Do.	4,000,000	–					
3	7	Do.	1,000,000	–		26	260,000		
1821	8	Naples	*2,744,640	–	308,772	65	4,114,036	96	60
2	9	Do.	*3,430,800	–					
–	10	Russia	3,500,000	–	175,000	70	2,250,000	99½	67½
–	11	Denmark	‡3,000,000	–	150,000	77½	Cancelled by No. 28		
–	12	Colombia	2,000,000	6	120,000	84	1,640,000	96	38½
–	13	Chili	1,000,000	–	60,000	70	700,000	93	30
–	14	Poyais	200,000	–	12,000	80	160,000	81	0
–	15	Peru	450,000	–	72,000	88	396,000	89	23¼
1824	16	Do.	750,000	–		82	615,000		
1823	17	Portugal	1,500,000	5	75,000	87	1,305,000	95	70
–	18	Austria	3,500,000	–	175,000	82	2,370,600	99	80
1824	19	Greece	800,000	–	40,000	59	472,000	See	below
–	20	Buenos Ayres	1,000,000	6	60,000	85	850,000	97	69
–	21	Colombia	4,750,000	–	285,000	88½	4,203,750	96	52½
–	22	Brazil	1,200,000	5	60,000	75	800,000	91	51
	23	Mexico	3,200,000	–	160,000	58	1,856,000	88	45
–	24	Naples	2,500,000	–	125,000	92½	2,312,500	95½	69½
1825	25	Brazil	2,000,000	–	100,000	85	1 700.000	91	51
–	26	Mexico	3,200,000	6	192,000	89½	2,872,000	94½	45
–	27	Greece	2,000,000	5	100,000	56⅛	1,130,000	58½	14½
–	28	Denmark	5,625,000	3	168,750	75	4,218,750	97	51
–	29	Peru	616,000	6	36,960	78	480,480	83	38
–	30	Guatimala	1,423,750	–	85,714	73	1,042.897	74	—
–	31	Guadalaxara	600,000	–	36,000	60	360,000	62	—
		Totals	L.73,495,190		L.3,702,196		L.49,038,500		

☞ * Numbers 8 and 9 were contracted for in Naples. Annuities to the Amount of 1,800,000 Ducats were granted payable in PARIS at the rate of 4 *francs* 40 *centimes* ℔ Ducat, and in LONDON, at the rate of 25 *francs* 65 *centimes* ℔ £ Sterling. †† Since the reserved funds have been appropriated, the Dividends on the Spanish, Greek, Poyais, Mexican, Colombian, and, in fact, all the South American stocks, have ceased to be paid, and the Value of the Stock is consequently reduced to almost nothing.

Total Amount of Money advanced by England as ℔ above Stat.	L.49,038,500	3,702,196
⁂ In addition to the above, since the Peace of 1815 there have been *Rentes* (Annuities) created in FRANCE equal to about L.175,000,000 of 5 ℔ Cent Stock, of which there is supposed to be held in England about	36,000,000	1,800,000
And since the same Period there is supposed to have been imported into England from the *United States* of NORTH AMERICA various Federal, Bank, Canal, and State Securities, in return for capital, equal to	9,000,000	545,010
In 1820 and 1822, there was also raised in RUSSIA from 60 to 85,000,000 of rubles effective = to 3/1 each, a considerable portion of which stock is supposed to be held in England	10,500,000	525,570
Making a Total Amount of Money raised in England in the 10 *Years* 1816—1825, on Account of LOANS to Foreign Nations	L.104,538,500	
The annual payments on which are		L.6,577,096
But as about 15 ℔ Cent on an Average has been reserved out of the 31 LOANS specially specified, to form a Sinking Fund, and to pay the four or five first half-yearly Dividends, there must be deducted out of the Money raised about	11,538,500	577,096
Leaving in the aggregate of the Ten Years the Sum of	L.93,000,000	6,000,000

In addition to which, during the Years 1824-5 there were 41 Foreign Mining and other trading Adventures set up with nominal Capitals, to the amount of L.32,840,000, on account of which upwards of L.3,000,000 was actually paid, and the greater portion thereof expend-

ART. IV.—1. *Geographical Memoirs of New South Wales, by various hands.* Edited by BARRON FIELD, Esq. F.L.S. 8vo. 1825.

2. *Narrative of a Survey of the Intertropical and Western Coasts of Australia, performed between the Years* 1818 *and* 1822. By Captain PHILIP P. KING, R.N., F.R.S. 2 vols. 8vo. 1827.

3. *Two Years in New South Wales—a series of Letters, comprising Sketches of the actual state of Society in that Colony.* By P. CUNNINGHAM, Surgeon, R.N. 2 vols. 8vo. 1827.

4. *Vollständige und neueste Erdbeschreibung von Australien: mit einer Einleitung zur Statistik der Länder.* Bearbeitet von Dr G. HASSEL. 8vo, pp. 900. Weimar, 1825.

IT is now several years since we have said anything in our pages of that New World which Britain has been creating on the other side of the Pacific—although it has been all the while in a state of continued and even rapid advancement: For there never was a period when distress, and, we are sorry to add, crime, afforded to it such ample supplies, both of good and evil recruits. It now exhibits, certainly an enlarged, and, in some respects, an improved aspect; so that it will be no unpleasing task to glean from the works, at the head of this article, some further notices of this infant colony—destined, perhaps, in the course of ages, to be the earliest records of a famous and potent nation. Mr Cunningham has drawn a lively and amusing picture of its most recent state. Captain King reports the result of his elaborate survey, which has very nearly completed the circuit of the Australasian shores. His Journal, though somewhat too minute, perhaps, even for that purpose, will be useful to future navigators, while the information that concerns the general reader might certainly have been comprised in a very limited compass. Mr Field's work is of a very miscellaneous character, but comprises some authentic and curious documents. As to M. Hassel, his vast and dense volume embraces, according to the most approved course of that statistical school of which he stands at the head, a collection of all things, great and small, important and unimportant, that relate in any way to the Austral regions—detailed with a minuteness, to which no patience, out of Germany, we suspect, will be found equal—though he that chooses to dig will find a vast mass of authentic materials.

Let us first cast our eye upon the progress of geographical discovery in those singular regions. So far as relates to the *interior* of the continent, we are sorry to say that this amounts really to nothing. No adventurer has yet penetrated beyond the

marshy, reedy, half-inundated plains, to which we found Mr Oxley tracing the sources both of the Lachlan and the Macquarrie. Economy, it seems, is assigned as the motive for stopping this effort in the career of research. This economy is really a mystery in our eyes, as it is in those of Mr Barron Field. Expeditions are sent, at great cost and deadly peril, into the inmost deserts of Africa, to the snows of the Pole, and to the sands of the inhospitable Syrtes; and this disposal of the public money appears not in any quarter to have been made a ground of complaint. Meantime, it is stated by Mr Field (p. 305) that at Sydney Mr Oxley in vain solicits the aid of a few convicts and spare horses, with which he would undertake, at his own charges, to follow to their last drop the interior waters of this vast continent. There is here as great an extent of unknown land, marked by at least as striking features, as in any other portion of the globe; and while the other objects are only those of speculation and curiosity, any important discovery that may be made here, could scarcely fail to bring solid and immediate profit to a great body of his Majesty's subjects.

Meantime, through the exertions chiefly of private individuals, most important accessions have been made to the known mass of fertile productive territory, situated upon, or within a hundred miles of the coast. To the north of Port Jackson, in particular, have been discovered three considerable rivers, each with a rich expanse of bordering plain,—the Hunter, the Hastings, and the Brisbane. The last, we are assured, is a most noble stream, on which there has been supposed to be about twelve millions of arable acres; and if conjectures are to be indulged, it would, we think, be no improbable one, that here may be the termination of the Macquarrie, which would thus have a course of about a thousand miles. The banks of these rivers are fast filling with settlements,—those of the Hunter, the nearest to the seat of government, being, we understand, entirely located. Again, to the south, amid the recesses of the Blue Mountains, there have been found numerous valleys, either fit for culture, or at least affording good pasturage. A still more gratifying discovery was made at Western Port, in Bass's Straits, on the northern coast,—for this inlet, when explored, was found to be the estuary of a broad river, formed, fifty miles inland, by the confluence of numerous streams from the interior. The whole country on its banks, so far as hitherto traced, has been of the very finest description. Lastly, two English gentlemen lately rode from the precincts of the colony to Western Port, by a line of about forty miles inland, *behind* the mountains, and found the whole to consist of wide plains, covered

with the most luxuriant herbage. By these discoveries, the reproach of barrenness, which rested for some time upon New Holland, has been thoroughly removed, so far as concerns an extent of a thousand miles of coast, and a depth of from fifty to an hundred miles. However it may be with the vast unknown interior, there is here space to locate successive bodies of emigrants for another half century, and in fact to form an empire greater and more populous than that from which it sprung.

The Maritime survey, though more liberally pursued, has not by any means been attended with the same auspicious results. It was carried on under the anxious hope of finding first some tracts of fertile coast, affording room for settlement, and next a river, of a magnitude somewhat corresponding to that of the continent, and which might afford access into the mighty expanse of its interior regions. Captain King proceeded first, in the footsteps of Captain Flinders, along the east coast, and round the vast circuit of the Gulf of Carpentaria, but without discovering any new feature, the coasts of the gulf, indeed, appearing to him in a still less favourable light than to his distinguished predecessor. He came next to a range of the northern coast, about six hundred miles in extent, which presented a somewhat new aspect. The girdle of rock and mountain, which at a short distance faces all the rest of the Australian shore, had here disappeared, and in its stead there were only low hills, thinly covered with scanty trees, a soil generally poor, and a severe deficiency of fresh water. There were but three or four rivers; and none which reached more than forty or fifty miles into the interior. He came next to the Gulf of Van Diemen, which the Dutch discoverers had merely entered. Captain King fully explored this gulf, which appeared to be formed, not by the coast of the continent only, but by two large islands, to which he affixed the names of Bathurst and Melville. These islands were the only territory throughout this long voyage which presented anything like an agreeable or tempting aspect. They were finely wooded, and, from their northern position, appeared capable of yielding every tropical production. The settlement of Fort Dundas has since been formed upon one of them. At the head of the bay were found two or three somewhat broad entrances, opening into a flat alluvial tract; but the idea started by Mr Cunningham, that these could be the termination of the Macquarrie, after a course of more than two thousand miles, is manifestly chimerical.

At the farther extremity of Van Diemen's Land begins the north-west coast, reaching for upwards of twelve hundred miles.

It presents again a completely changed aspect from that of the low flat southern shore. Ranges of bold and precipitous cliffs rise abruptly from a narrow girdle of flat and often inundated coast. Dampier, at an early period, and Baudin, more recently, had passed along this shore; but their observations had been chiefly confined to the chains of exterior islands, which run parallel to it. Captain King subjected a great portion to a very minute survey, and found it indented with very fine ports and bays, among which were York Sound, Port Warrender, and Brunswick Bay. These inlets received some rivers, but none of any magnitude, except that called the Prince Regent, falling into Brunswick Bay, and which was traced sixty miles upwards, where it still retained a breadth of 250 yards. Ten miles lower, it fell in a most magnificent cascade of 150 feet high, down a rock, which being formed into ledges like stairs, gave it a very peculiar and striking aspect. In the middle of this coast, was found a large opening, called Cygnet Bay, up which Captain King sailed fifty miles, and believed it to be a channel communicating with the more southern opening of Port Gantheaume, and forming what had been supposed to be a continent, into a large island: But a series of accidents, and the difficulties of the passage, obliged him to return, without ascertaining this and other interesting points. Notwithstanding the nautical advantages of this coast, it is in no other respect inviting. Generally, only masses of rock appear, piled over each other, with tufts of coarse prickly grass filling their interstices. The natives, apparently very few in number, were found existing in a lower state than even the rude savages of the eastern shore. In several of the channels they were seen crossing upon mere logs, which they bestrode and pushed forward with paddles. Others, by lashing together several large branches, formed something resembling a raft. A farther progress was made, when, by scooping out a piece of wood, a hollow was formed, in which a single man might establish himself in a bent position. As this was enlarged to hold two, three, or more, the regular canoe was at length arrived at.

The coast directly facing the west, for about eight hundred miles, was run over by Captain King, without adding anything to what had been observed by Flinders, Baudin, and Freycinet. He, like them, found it superlatively arid and dreary—a waste of rock and sand, and at a few points only accessible even for boats. The southern coast is not so wholly desolate. Wood and water are found in St George's Sound, and at some other points; but few spots afford any good promise for settlement. The naming of the central part of this coast has been a subject of deadly

controversy. Flinders, who made the first discovery, claimed it as Flindersland, and imposed upon different points the names of Spencer, St Vincent, and other great British naval characters. Scarcely had he quitted the coast, when Baudin followed; and ignorant, as he and the French assert, of what had been before done, assumed all the rights of a first discoverer. He named the land Napoleon, and baptized every cape with Buffon, Voltaire, Volney, Massena, Lannes, Laplace, and other names that have shone in the military and literary annals of France. In consequence of the unjust detention of Flinders at the Mauritius, Baudin first reached Europe, and filled it with this Gallic nomenclature. A few years after, Flinders got home, and advanced his prior claim, which has been generally admitted in Europe,—and Napoleon was ejected from the southern as from the northern hemisphere. Hassel only reserves to the fallen emperor a little corner, which Flinders was prevented from reaching, and which Baudin, therefore, having first explored, is held to have the right of naming.

From this survey, it is but too evident that the coasts of New Holland, for four-fifths of their vast circuit, present one unvaried face of the most dreary barrenness. This, however, is only on the surface, nowhere penetrated farther than forty or fifty miles, and at a very few points only, so far. What may be within that vast rocky girdle, which, with the single exception in the north, is passed round the whole of this extraordinary continent, remains a mystery. We only know that, on the east coast, the finest land, with few exceptions, is actually found within such a circle; and that coast presents to the sea an aspect not much less bleak and dreary than the rest of the continent. Especially, we may remark, that the coast, from the boundary of the colony to Western Port, is a mere desert of sand, while the two gentlemen who travelled inland, behind the mountains, found a vast expanse of the finest land. There seems then no proof, or even presumption, that the dreary aspect of the Australian shore can be taken as an index of what is to be found in the interior. Nor is it yet, even after so many disappointments, absolutely decided, that a river may not be found, capable of affording the means of communication with the most inland parts. Several hundred miles of the north-west coast, including the great inlet of Cygnet Bay, is ranked by Captain King as almost entirely unknown; in addition to which, we may remark, that the Brisbane, the largest river yet discovered, escaped the careful search both of Cook and Flinders, the last of whom entered the very bay into which it falls, which he left with the conviction of its being the receptacle of no river of any consequence. Every

part of the coast must, therefore, have been examined by boats, ere a final negative can be given to our hopes.

The interior progress of the colony next claims our attention. It has been very rapid. In 1788, was landed the first body of settlers, consisting of about seven hundred persons; and by the census of 1821, the colony contained nearly forty thousand persons, spread over two hundred square miles of territory, raising grain more than sufficient for their own subsistence, and holding property valued altogether at nearly three millions sterling. There has been no census since 1821; but from the continuous and increasing tide of emigration and deportation, we have not a doubt that the actual number at this moment will have reached 60,000. With such a basis, and with a copious supply of the necessaries of life, the internal multiplication would proceed rapidly, were it not for one lamentable deficiency. The female part of the species did not, by the latest census, amount to quite a fourth part of the whole. It is needless to say how deeply such a privation must trench on the comfort and well-doing of the colony. Due care is indeed taken, to enlist all the existing members of the female society under the matrimonial standard. Scarcely has the widow time to array herself in sable, when crowds of candidates appear for the honour of her vacant hand. Matches are arranged within the "love-inspiring walls" of the lock-up-house, or amid the rude gyration of the tread-mill; and even the exhibition of an offending fair one to public ignominy, has frequently been the occasion of attracting an eligible suitor. With all this diligence, however, it is evident that the result of doubling the population in twenty years can take place only where there is a due proportion between the sexes. The utmost that can now be produced is the quadruple of the *female* population, so that, where that is only a fourth, the society can barely keep up its numbers. It seems impossible, therefore, to withhold full assent from Mr Cunningham's proposition, that a cargo of young women would be the most patriotic and valuable which could possibly be consigned to this colony, even though they should not be always of the most exemplary purity. They would themselves, probably, be in a much fairer train of again becoming useful members of society, than when immured in Newgate or the penitentiaries.

But the most gratifying circumstance in the present aspect of the colony is, that, according to the conjunct testimony of Messrs Wentworth and Cunningham, there really does take place a moral renovation of a very decided nature. This is chiefly conspicuous among such as are sent out to rural labour. Every emigrant, along with his grant of land, receives *two*

thieves—of whose labour he may avail himself, upon merely furnishing to them a due portion of the necessaries of life. Few of our readers, probably, would feel themselves excessively comfortable with such helpmates: yet is it asserted, that not only do they exercise their ancient vocation on a wonderfully limited scale, but that, when tolerably attended to, they really become, in the course of a year, very little under the average of English farm servants. They are indeed, in the event of evil conduct, inclosed between the two alternatives of being conveyed back to head-quarters, and treated with redoubled severity, or of flying into the desert expanse of the interior. This last alternative is not indeed rejected by many, when they find that, by remaining, they have not even a *chance*, and from them were organized those troops of bush-rangers, which so long desolated the colony. Even now, the Sydney Gazette shows a portentous list of upwards of a hundred absentees. Some, of Hibernian origin, set forth, it is said, under an ignorance so doleful, as to imagine, that by passing over a certain large extent of the Australian wilds, they must reach some civilized country, of which they especially select China or Timor, names probably heard of in the voyage out. Mr Cunningham mentions the case of one, who, after a very long peregrination, came at last to a civilized and cultivated country, which he took of course to be China. On looking over a garden-wall, however, he discovered a gentleman of his acquaintance, and on expressing surprise at his having made such a rapid emigration to the Chinese empire, was not a little dismayed to learn, that he himself, by an immense *detour*, had come again within the fatal precincts of the colony.

With the above exceptions, it appears pretty well made out, that a gradual, but very decided reform takes place in the convict population. Even from their first landing, an effort is very generally observed, to emancipate themselves from the deep ignominy which attaches to their condition. The term Convict, accordingly, has, by tacit consent, been erased from the dialect of the English language spoken in New South Wales.

On their first arrival, they are called *Canaries*, a surname for which they are indebted to certain yellow vestments, in which they are then habited. As soon, however, as they have gone decently through a certain probation, they are elevated to the dignity of Government-men; and at last, when by good conduct, or the expiration of their term, they are set at liberty, they become *Emancipists*. The Emancipists are now a numerous and thriving body. They carry on all the distilleries, all the manufactures; and Mr Wentworth thinks himself safe in estima-

ting their entire property not lower than a million and a half sterling. It is a very curious fact, that the Emancipist trader is almost universally more punctiliously honest than persons of the same class at home. He feels that he is the object of jealous notice, both to the public and to his old *pals*, or comrades; and that numbers are watching for the fulfilment of repeated predictions, that, after a certain career of sham honesty, he will revert to his original habits. All this he can escape only by a deportment so guarded as may not leave the slightest opening for such imputations.

After all, the circumstance perhaps most auspicious to the hopes of the colony, is one as to which both our authorities unite. The offspring, they assert, even of its worst members, instead of treading in the steps of their progenitors, almost invariably render themselves conspicuous by a course of life directly opposite; and are, in a more than ordinary degree, temperate and honest. The character of their parents, by the miseries of which they must see it productive, and the ill treatment which doubtless it often brings upon themselves, operates seemingly as a beacon, rather than an example. Education and instruction appear to be now in a very good state, though this was very far from being always the case. Considering the destination of the colony, it is truly extraordinary, that for six years it did not contain a church, nor a school,—except such miserable ones as the convicts could get up for themselves. Even when a clergyman was at last sent out, he was obliged to erect, at his own expense, a wooden shed in which to officiate; nor was the first neglect much amended by the sort of zeal which at last impelled the rulers to send round troops, and drive in the citizens to church at the point of the bayonet. All this, however, is now amended. Provision for schools is formed by an ample allotment of land in every parish; and it is confidently asserted that the humblest individuals have now elementary instruction placed within their reach. The church establishment appears also to be at last on a respectable footing.

Amid the agreeable lights thus thrown upon Australian society, it could not but happen that some pretty deep shades should be intermingled. Feuds there must be in every circle; and those of the southern world are somewhat deadly, both in their nature and origin. Man, proud man, eagerly grasps at, and always exaggerates, every little distinction which exalts him above his fellow men. The tyranny of the few over the many has been much complained of; but the tyranny of the many over the few is still more galling and oppressive—the

system by which a people are divided into two great bodies, among whom contempt on the one hand is met by hatred on the other. Assuredly there never could be a more legitimate distinction, than that between the sober industrious emigrant, and the convict banished to the same place as the penalty of his crimes; yet the feud thus generated is not the less desolating; not only does it maintain an incessant irritation, but it severely discourages the emancipist in his path of well-doing. In the eyes of the *pure* emigrant, no reform, no prosperity, no usefulness, can ever efface the original stain, or fit the *quondam* convict for his society. Even those of his fellow emigrants who at all overcome these scruples, are stamped as emigrants *impure*, and deeply sullied by such an intercourse. Government, perhaps, did all it could do, in establishing a complete *legal* equality between these two jealous and hostile bodies. Governor Macquarrie attempted to do more. Not only did he admit the emancipists on quite an equal footing to his society and table, but he actually banished thence, and from all public favour, such of the emigrants as refused to renounce their prejudices and follow his example. This was driving too hard. The emigrants exclaimed, that they were proscribed and oppressed, and all favour confined to a body which they had such just cause to consider as inferior. Their complaints reached the government at home; and a commission was appointed, which did not make a very judicious report. Impressed by some real hardships sustained by the emigrants, and swayed by their views, it rashly embodied charges against individual emancipists, and, still more rashly, founded on these a general censure of the whole body. The system was, consequently, entirely and violently changed: Not an emancipist was now to be seen within the precincts of the government-house; their names were omitted in the lists of magistracy; and the proscription was extended even to their children. The last error was worse, we think, than the first. The one only injudiciously pursued a good object, while the other positively pursued a bad one. The report, with these consequences, kindled a flame in the breast of the emancipists, which broke out in the public press, and dreadfully agitated the colony. It dispersed even the Philosophical Society of Australia, which, according to Mr Field, 'expired in the baneful atmosphere of distracted politics.' From different intimations, however, we incline to believe, that government is now aware of the opposite errors it has committed, and is seeking to adopt that cautious system, conciliatory towards all parties, which alone befits such difficult circumstances.

Meantime, the unfortunate society of Australia is cut into

fresh sections in every direction. The emancipists, while they are so indignant at the exclusive distinction made between them and the emigrants, make another within themselves equally rigorous, and which, unfortunately, is also not without some foundation in reason. They hold as emancipists *impure*, those who, over and above the penal sentence which wafted them to the colony, have suffered within it a fresh conviction; while they, the *pure*, have never undergone either punishment or public disgrace, on the southern side of the equator. There is a still more fantastic difference made between *Sterling*, a term absurdly used to denote the natives of Britain, and *Currency*, as ridiculously applied to those born in the colony. This distinction, which produced such dreadful consequences in Spanish America, being here connected with no political exclusion, will, it may be hoped, never go beyond those ridiculous nicknames. The Currency, as already intimated, are a very meritorious race, and very undeserving of the brand thus fixed upon them, especially considering the stuff of which so large a part of the Sterling is composed. Justly resenting the slight put upon their birth, they attach themselves closely to each other, and eagerly rally round such of their body as have suffered wrong or insult from those of Sterling descent. They have adopted, with enthusiastic ardour, Australia as their country. Not only do they vaunt its real merits, its fine pastures, beautiful scenery, and mild climate, with the superiority of the brilliant skies of Sydney over the smoky atmosphere of London; but they claim for it pre-eminence on points where the superior merits of the mother country are quite manifest. Big Cooper's store is piously believed to be far more copious than the most ample warehouses of the British metropolis; Mrs Richard's fashionable repository is not allowed to have a rival in Bond Street; nor does it appear credible, that the fleetest coursers of Newmarket can rival the speed of 'Junius' or 'Currency Lass.' It is remarkable, that this race shoots up, tall and pale, exactly as the emigrants do in the back settlements of America. The defect has there been imputed to the deep shade of the forests, as plants grow colourless when excluded from the rays of the sun. But in Australia, there are no dense woods, but vast ranges of open settlement; so that the question, 'Pr'ythee, why so pale?' seems yet unanswered. The speedy decay of the teeth is also common to them with the Americans. These infirmities seem thus connected with some climatizing process, not yet understood. It is somewhat curious, that they appear, in both instances, combined with rather an uncommon general strength of constitution. The pale backwoodsman of America hews down the forests with a vigour, to which the ruddy Englishman is unequal; and when a *set-to*,

as is not unfrequent, takes place at Sydney between Sterling and Currency, the former, it is averred, comes off usually at a heavy discount.

New South Wales has been governed as yet wholly *à la militaire*,—without either representative assembly, or anything that can well be called jury trial; for a body of officers appointed by government, and sitting in full uniform, seem really, as Mr Wentworth observes, to be more properly a court martial. Perhaps there have scarcely existed, hitherto, materials for these salutary institutions. The best part of the inhabitants were widely scattered over the colony, and the original settlers could not be persons very well fitted for their own government. Now, however, it ought really, we think, not to be very long before the people share the first privilege of a British country, by having a parliament, or house of assembly. The dregs of society might be thrown out by a somewhat high property qualification in the electors; and the discordant elements of which it is composed, would find rather antidote than irritation from being brought together in this shape. Their violence, finding an issue in speech and invective, would not seek another; and even their being brought solemnly together on a theatre, where talent and eloquence would soon become the chief distinctions, could scarcely fail to bring on a substantial amalgamation.

All the branches of industry, though yet in their infancy, are proceeding on a scale which must in due time convert this colony into a new America. Agriculture, however, naturally the chief branch, begins, in a certain direction, to experience a check. Till lately, the demand for the government stores, and for the military at head-quarters, afforded a sure market for all the grain that could be raised, and which, being scarcely sufficient, bore as high a price as in England. As culture advances, however, the supply is fast outgrowing this local and limited market. We need scarcely mention the strange remedy proposed by Mr Wentworth,—that government shall continue to pay the original price, however low the market rate may fall. Every idea, in such a colony, of forcing wheat to remain at 7s. a bushel, is obviously chimerical. The farmer, as to grain, must soon be content with supplying it to himself and his countrymen in cheap abundance; and for money and foreign luxuries, must look to fine wool and other commodities, which will bear the expense of a long transport. This leads us to consider Australian commerce, which, amid mighty obstacles, is beginning to rise into existence. Mr Cunningham mentions that, in the thirteen months preceding June 1826, seventeen vessels from England had imported cargoes to the value of L.200,000,

taking off wool, timber, oil, skins, &c. to more than half that amount. The intercourse with Mauritius, India, and China, is to nearly the same extent. This commerce may be considered as the final triumph of the navigating art. The circumnavigation of the globe, once the boast of the greatest naval men, is in modern times a common trading voyage. Merchant vessels bound for Sydney, to secure the best winds, generally go out by the Cape of Good Hope, and return by Cape Horn. This commerce, having been freed from some absurd restrictions which once fettered it, should doubtless continue to increase. On this subject, however, we find both Mr Wentworth and Mr Cunningham zealously maintaining doctrines which are only the more alarming that they seem prevalent in the colony, and have even begun to be partially acted upon. According to these sages, every pound of sugar, tea, coffee, tobacco, which enters an Australian port, is so much dead loss; and nothing can save the settlement, but to load with almost prohibitory duties these and all articles which can by any possibility be raised within itself. It is not, however, by thus heaping fetter upon fetter, that the difficulties which nature has opposed to Australian commerce can ever be remedied. That these articles will ultimately be raised in New Holland, which has a tropical as well as a temperate region, is highly probable; but surely the heavy freight which they now incur in passing round half the globe, affords encouragement enough for their culture; nor can there be any occasion to extinguish the rising commerce of Australia, in order to force them into a premature existence. It were somewhat melancholy if, while our government were making an end of this system at home, it should commence it for its colonies beyond the Equator.

Manufactures have made greater progress than might have been expected. Coarse cloths are made from the native wool, twilled linens from the New Zealand flax, leather from the skins of the kangaroo, hats from the fur of the flying squirrel, carpentry and rural implements from the native timber. Mr Wentworth, however, bitterly reproaches the colonists for this industry, which he insists is contrary to every principle of political economy. But the Sydney manufacturers work, we imagine, not to illustrate Smith or Macculloch, but because they find their work pay; and if it does, they cannot be under any very grievous error. Mr Wentworth is not indeed wrong here in his general principle; but he applies it too hastily to the case of the Australians. A new country, no doubt, will generally do well to exchange its raw produce for the manufactures of an improved country, when these can be found at any reasonable distance.

England, even in her rudest state, could send over her wool to Flanders, and receive it back in the form of cloth. America can even send her cotton across the Atlantic. But the case is very different with the Australian, who must send his materials across one-half the globe, to be returned to him across the other half. In such circumstances, he must begin early himself to work up the most bulky portion, and must draw from the region of the Antipodes only some of the finer forms of its industry.

On the subject of Emigration, Mr Cunningham seconds Mr Wentworth in recommending New South Wales as preferable to America. The voyage, indeed, is longer and more expensive; but this is fully compensated by escaping the lengthened and dreary land journey into the interior. The thinly disposed evergreen woods do not communicate to the soil that matchless depth and fertility, which, in the dense forests of America, is derived from the deciduous leaves mixing with the soil during successive ages. But the settler escapes the enormous labour which is necessary for clearing such forests; he finds even so wide an interval, that he can drive his plough through the stumps, without rooting them up. He obtains a free grant of land, without paying a price as in the United States, or high fees, as in Canada. Labourers he can have in abundance, such as they are; while in the west, they can scarcely be got at all, and only at the most enormous wages. There seems very good ground to question, why no smaller capital should be admitted than L.500, and no less a grant made than 640 acres. If the first were to vary down to L.50 or L.100, with a corresponding variation in the grant, the benefits of emigration might be more widely extended, and in many cases a more effectual class introduced. It seems on all hands admitted, that the first probation is very severe; and that there are few who do not repent more than once the adventure in which they have embarked. If, however, they hold on for a year or two with courage and energy, the prospect brightens, and independence and comfort begin to open upon them. Mr Cunningham very reasonably recommends that a little colony of four or five should make common cause in the first instance. They cheer, assist, and encourage each other; one house, one range of offices, suffices for all in the first instance, and as they gradually spread, they form a cheerful and friendly neighbourhood.

ART. V.—*Trial of Edward Gibbon Wakefield, William Wakefield, and Frances Wakefield, indicted with one Edward Thevenot, a Servant, for a Conspiracy, and for the Abduction of Miss Ellen Turner, the only child and heiress of William Turner, Esq. of Shrigley Park, in the County of Chester.* London, 1827.

WE have placed the name of this book at the head of the article, in order to take the opportunity of its publication, and of the singular case to which it relates, to offer a few observations upon the Law of Marriage in this country, and its relations with the English Law.

Although much does not turn upon the particulars of Wakefield's case, it certainly tends to place in a stronger light the inconveniences of the conflict of law we are about to speak of, and we shall therefore briefly mention them—their authenticity, however strange and even incredible some of them may appear, being wholly incontestable. The verdict which was the result of the trial, is not the only evidence of the story. It was related with the utmost simplicity and precision by the unfortunate young person, the object of the conspiracy; and her statement, confirmed in all its essential parts by other testimony, was contradicted in none by the narrative which the chief conspirator himself thought fit to give to the public.

A girl of fifteen years old, the only child of a family distinguished as well for its high respectability as its ample fortune, was inveigled from the boarding-school where she was residing, by a man above twice her age, and hackneyed in the ways and arts of the world, aided by his brother and a foreign servant. She was first told that her mother was dying, and then that her father was bankrupt—a tale to which she lent credence the more readily, because, by a singular and most unhappy coincidence, the failure of a companion's father immediately before, and the jocular remark of her own father, who chanced then to want a few pounds in settling the school-bills, that he believed he must fail too, recurred to her mind when the story of the bankruptcy was told her, and gave an appearance of truth to all the monstrous fictions afterwards employed for her deception. It was then disclosed to her that no escape for her parent remained but by her marrying the conspirator, and thus obtaining a power over the estates. Her father was represented as flying from his house; his house as shut up, and his property as about to be sold. As the journey proceeded, new particulars were added. Upon reaching Carlisle, where she was to meet him, both the accomplices pretended to have found the father in an

inn surrounded by bailiffs. A message was delivered from him to hasten her resolution, and urge her immediate marriage as his only chance of release. This decided her; she went without further hesitation across the Border, and in Scotland a marriage was celebrated, according to the outward forms, such as they are, which alone the Scotch Law requires to make the contract valid; that is, both parties declared in the presence of a witness that they took each other for husband and wife respectively. Immediately after, and without consummation, they returned to England; and on various new pretexts, the young lady was induced to accompany the conspirator to Calais, where, before any consummation had taken place, the family overtook and restored her to their own care—with a joy on her part only surpassed by the indignation and disgust she felt at the frauds that had been practised upon her.

Upon the conviction of the conspirators, a severe but just sentence of imprisonment was pronounced, and a bill being brought into Parliament to dissolve the marriage, and to declare the pretended marriage void, it passed through all its stages in both Houses without a single dissentient voice, and received the Royal Assent.

There were who thought that the extreme remedy of legislative interference in a private case, was only to be justified by the ordinary tribunals of the country having been resorted to, and found to afford no redress. Divorce bills, by English parties, have become frequent in modern times; but they always proceed upon the assumption, generally upon the recital, that the marriage cannot be dissolved by any proceeding known to the law. A Scotch marriage, on the other hand, is never dissolved by such a bill; because the party complaining may have his divorce in the Consistorial Courts of Scotland. An English marriage being by law indissoluble, is alone the ground of an English divorce bill, because the general law is defective, and the just and proper remedy can only be administered by making a special law for the occasion. So, in the case before us, it was contended, but rather in legal circles, privately, than in either House of Parliament, that the Scotch Courts had jurisdiction to dissolve, or rather to declare null and void *ab initio*, a marriage contracted through fraud, and the result of a vile and complicated conspiracy—the fruits of an act which would have been felony by the law of England had the marriage been had there, nay, which marriage would itself have constituted a felony, had the Scotch and English Law been the same. It was said, that even supposing the Scotch Courts upon these grounds did not think fit to dissolve the marriage, still they had an undoubted jurisdiction over the question, and that it was

impossible beforehand, in a case of the first impression, to affirm the impossibility of their deciding against the marriage—which would render all recourse to Parliament unnecessary. Again, it was contended, that the English Ecclesiastical Courts were open to the case; that there was such a case of fraud in the inducements to, and in the very concoction, and even execution of the contract, as would incline the Judge to hold the whole a mere trick, and declare the contract void; that at all events the question might be tried, and that the case of *Harford* v. *Morris*, where such a view was taken, bore sufficiently upon the present to make the possibility at least of a like result, by no means doubtful. Some indeed there were who held the application of *Harford* v. *Morris* so strong as to warrant a confident expectation of a favourable judgment. But at least it seemed difficult to deny that the question might be entertained, or to affirm that there was no chance of the decision being against the marriage. According to all principles, therefore, the divorce bill was contended to be premature. It might be rendered necessary, in the event of the Court affording no redress; but to begin by assuming that prospect to be hopeless, and to make a new law for the particular case, without trying whether or not the general law of the land reached it, was, by some very high legal authorities, regarded as a precipitate and ill-considered act of legislation. The highly respectable opinion of Lord Eldon was, whether by his authority or not we are unable to say, cited in favour of this view of the matter. But when the bill was introduced, and the evidence heard by the Lords, no opposition was offered—men seemed to act upon the strong and very natural feelings of indignation excited by the atrocious conduct of the conspirators, and to give the benefit to the much injured party of that dispatch which could only be obtained from a legislative provision, and which in such a case was peculiarly desirable.

If we now pause for a moment to consider the merits of the legal question, assumed by Parliament to be beyond the jurisdiction of the ordinary tribunals of the country, we may remark that it certainly seems at first sight, to be contrary to natural justice, that a contract entirely obtained by gross fraud, and executed under the most complete delusion, should stand good when questioned in a court of law. If a man deceives another as to the quality of a chattel he is selling him, the purchase, how formally soever it may be made, is absolutely void. So if the deception is as to the consequences or motives of the transaction. If a man induces another to accept a bill of exchange, by telling him that it is wanted to release his (the acceptor's) son from prison, or the acceptor's own goods from execution, when neither the son nor

the goods have been taken in execution; beyond all doubt, as between the two parties, the acceptance is void. Why, then, should a woman be bound by a contract of marriage in favour of the husband, when his fraud induced her to enter into it, by causing a belief that it was necessary to save her father and his property from the process of the law,—the person and the effects being in fact in no jeopardy of process whatever,—and that the father required her to marry, whereas in truth he knew nothing of the matter? If *dolus dans locum contractui* in all other cases avoids the contract as to the fraudulent person, why should the most important of all contracts be the only exception to so wholesome and rational a rule?

We do not say that this is not a point somewhat incumbered with doubt; but we nevertheless conceive marriage to stand upon a different footing from other contracts. All presumptions lean towards supporting the validity of any actual marriage far more vehemently than in the case of any other contract, in consequence of the nature of the union, the change that it almost naturally effects by consummation in the state of the parties, and the effects of that consummation in calling into existence other parties interested in its being held valid. When an ordinary contract is annulled on proof of the consent of one of the parties having been brought about by fraud, the consequence is, that both are restored to the same condition in which they stood before it was entered into, and the rights of no other parties are concerned. But where a fraudulent marriage has subsisted for any length of time, *de facto*, it is generally impossible either that the injured party can be restored to her former condition, or the rights of the children saved. There can neither be *restitutio in integrum*, or security for a *status* eminently favoured by the law. The great object in the annulment of fraudulent contracts, however, is precisely that the injured party may be restored *in integrum—salvo jure* of all who are innocent—and therefore, where this restitution is unattainable, it is easy to understand why the rule of law should cease, with the reasons on which it is founded. But there is another and a deeper reason for the distinction. The object of almost all other contracts is gain or profit—money, in short, or something that money may purchase—and where the views of profit or loss are affected by fraud or error, it is easy to show that these have affected the essence of the contract, and the considerations on which it necessarily proceeded. But the contract of marriage, in its proper and strict conception, is purely and entirely *personal*; and must be held to rest exclusively on personal preference and attachment, and not on any considerations of rank, fortune, or influence, in either of the parties

contracting. The considerations which a man is understood to give for his wife, are not any supposed measure of wealth, or station, or power or will to serve her relations; but only his person, and the conjugal rights which are derived to her from his matrimonial obligations. If she gets these, she gets all that the law holds she contracted for—and, consequently, cannot annul the marriage, because she has been deceived as to minor particulars. The mutual monopoly of the person, the *consortium vitæ*, and the reciprocal rights and duties which accrue from the relation, are all that the law regards as its essentials; and anything else, however practically important, is but accessary and accidental. It may be very true, in point of fact, that her chief inducement to marry, was her expectation of sharing in the fortune and dignity which her husband had falsely represented himself as possessing, or of benefitting by the kindness he may have promised to her friends; but if she deliberately consented to marry him, she must submit to this disappointment. She did not marry his fortune, or rank, or benevolence, but *himself*. She took him for richer for poorer—for better for worse—and must therefore remain married, unless she can prove either a deception as to the identity of the person, or such force or fear as to exclude the notion of consent altogether.

It is certain, accordingly, that many exceptions to the common rules of law are admitted in the case of marriage. If an agent is prevailed upon to accept a bill, drawn by one pretending to have authority from his (the acceptor's) employer, to procure his acceptance, as in favour of the drawer, the acceptance is void at law; and a deed, executed under a similar error, induced by fraud, would be set aside by the Courts of Equity in England; and in our courts, which are both legal and equitable, could not be sued upon with effect in any way. But no one can doubt that a marriage would be good, which a person had been induced to contract by a representation that her parent wished it, when he was truly averse to it. So, if a man induces a woman to take him for her husband, by representing his fortune as larger, or his age as less, than it really is, no one can maintain that such a marriage is invalid. Put even a stronger case. An adventurer persuades an heiress that he is of noble family, with a large estate in a distant province;—she marries him, and finds him a person of mean birth, with only debts in the world,—the marriage could not be set aside in any court of law. Yet where, it may be asked, does the case in question differ from the one now supposed? The fraud in both cases may be said to have caused the contract; in neither did the woman marry a disguised monster, but in neither would she have con-

sented to the contract, had she been aware of the facts, which were studiously and fraudulently withheld from her knowledge.

The Scotch lawyer who was called to prove, in Wakefield's case, that the marriage was good by the law of the country where it was contracted, did not, however, answer the questions put, in a way so clear as to show that it was certainly good. He admitted that he knew of no such case ever having occurred, consequently, that none such within his knowledge had ever been considered and determined by the Courts of Scotland. But he also admitted, that he could form no opinion upon the case if it were to come before him; for, being reminded that such a marriage in England, where the fraud and seduction were practised, would have been *felony;* and admitting, as he must have done, that in Scotland such fraud would have been criminal, he was asked as to the validity of an act of *this nature* in Scotland, supposing the seduction had been felony by the Scotch law, or even supposing it a misdemeanour; and he plainly showed, by his answer, that he was unable to solve the question, never having considered it in its true light.

We shall here insert that part of the cross-examination which bears upon this matter, in case any doubt should exist as to the meaning.

'We have now been talking, supposing the facts that are said to have happened at Gretna Green stood alone without any extraneous circumstances—do you mean to represent there has ever been a case decided in Scotland, in which the facts resembled at all those you have heard given in evidence to-day?—I mean the facts out of Scotland—I mean the facts that happened before the marriage?—No, I do not know of any case where the facts were similar to these.

'Don't you know that there never has been a case decided in Scotland where the facts were at all similar to these?—I don't think there is any reported case.

'Has there ever been *an unreported case*—any case at all?—I have said already, I am not aware of any case; and I think I can go further, and say I don't think there is a case.

'In which the facts at all resemble those that are given in evidence to-day?—No.

'Is not the Civil Law of high authority in the Scotch law of marriage? and does not the Scotch law import into the law of marriage the principle of the Roman law, *consensus non concubitus facit nuptias?*—It does: and we long used to go by the Civil Law, but we now think we have cases on which we can proceed.

'But the Civil Law principles are of high authority as respects the Scotch law of marriage?—Certainly.

'Are you not aware it is a principle in the Civil Law, that a con-

tract is void "*cui dolus dat locum;*" that there is a principle in the Civil Law which voids a contract of that sort?—There is such a general principle.

'Are you not aware that there is also a Prætorian Edict very well known in the Civil law,—"*Pacta conventa quæ neque dolo malo, neque adversus leges, neque quo fraus cui earum fiat, facta erunt servabo?*"—I don't recollect the particular dictum, but I think there is a dictum to that effect.

'Are you not aware that by the Civil Law—by one of the novels of Justinian, a person by fraud taking away a young woman, and by fraud marrying her, is guilty of a capital offence?—I believe he is, but I don't recollect.

'But you believe there is such a law of Justinian, which is parcel of the Civil Law?—Yes.

'Is there in the law of Scotland any statute, or is it at common law, an offence to inveigle and take away an heiress for the purpose of marrying her—was it ever punished as a capital offence, for instance?—The forcibly taking her away has been.

'But I mean inveigling her by fraud?—I don't know of any case—certainly there has not been one for centuries. I should say no capital offence.

'But is it *an offence* to inveigle and take her away?—I don't know of any case being prosecuted in a criminal court.

'Suppose now, (I am going to put a case,) *suppose* that it were an offence of a high nature, punishable by transportation for life, and that it had only within three years ceased to be *a capital offence* by the law of Scotland, to inveigle away a person for the purpose of contracting a marriage with her,—suppose *that* was the law of Scotland, should you conceive that the marriage, in such circumstances, solemnized by the law of Scotland, would be a valid marriage?—*It is very difficult to form an opinion upon that.* I should say by the law of Scotland, if a person inveigled away another for the purpose of contracting marriage, if that person afterwards freely gave her consent to be married, and was married, that the marriage is a valid marriage; and I am so taking it in your qualification of its being a capital offence to inveigle her away.

'And that yet the same law would support the marriage of the person so inveigled as valid, which made it punishable with death to inveigle her away, and marry her?—*I cannot conceive such a state of matters.*

'Can you conceive such to be the civil law of Scotland, if such was the criminal law of Scotland? Can you in your imagination conceive they could, by the law of Scotland, make that marriage good, the contracting which was, by the same law, a capital offence?—If the law of Scotland was very different from what it is; but that supposes a law that I never heard of in Scotland.'

The evidence, therefore, of this learned gentleman merely amounted to this, that what took place at Gretna-Green between the parties, constituted a good Scotch marriage, if there was

nothing else to hinder it from standing good. If threats had been used in England, and their effect continued, though not renewed while the ceremony was performed, doubtless, according to his opinion, the marriage would have been invalid; and what difference, in point of law, the prisoner's frauds made in the validity of the contract flowing from them, these frauds *being a high crime*, and the contract, the consummation of the criminal conduct, he never seems to have considered, although it was plainly the most important element in the question.

It has been said, but without sufficiently considering the subject, that the difference between the cases put, of ordinary misrepresentations made previous to marriage, and the case in hand, are reconciled by the circumstance of the frauds in the former giving room for inquiry, and the conspiracy in question having prevented inquiry. But this will not solve the difficulties that beset the point. When a horse is represented as sound contrary to the seller's knowledge, the sale is void, although an inspection might have detected the falsehood—nay, when a man chooses to buy a chattel or an estate, without seeing it or inquiring about it, he is not bound by his contract, if a wilful falsehood is told him concerning the subject matter: So it is easy to figure cases of misrepresentation tending to obtain consent for a marriage, which, from their very nature, would preclude all inquiry by lulling all suspicion, and yet no one could pretend that the marriage was therefore void. Even in the case we are considering, the young lady *might* have addressed her inquiries to the persons at the inns she stopped at; she might have insisted on seeing her kinswoman at one town through which she passed; or upon speaking to her father, or the pretended officers, at another. Upon the whole, therefore, though there are many difficulties in the question, we incline to think that the marriage would not have been set aside in any court, either of England or Scotland.

This discussion has naturally turned the thoughts of reflecting men towards the state of the law regulating marriage in Scotland. It seems a most extraordinary posture of things, that while our neighbours have guarded, by extreme precaution, against an improvident contract on so important a matter, all those precautions should be evaded or frustrated by so easy an expedient as a journey to Scotland—no difficult thing to undertake from the Land's-End, but easier than going to the county town, in the provinces bordering on Scotland.

By the Marriage Act, ever since the reign of George the Second, a person under the age of one and twenty, can only marry after public proclamation in church for three successive Sundays, and consequently a fortnight given for notice to parents or

guardians, unless their consent is formally interposed, in which case the marriage may be immediately celebrated by license. Moreover, the solemnity must be performed by a regular clergyman in orders. To the English it has appeared, that this is by no means too complicated a machinery for effecting so important a purpose; or that greater facility could safely be given for entering into so weighty and so indissoluble an engagement. The more delay, they say, the more time for reflection, the better, at a time of life when the passions are so much stronger than the judgment; and the interposition of parental authority and advice is the mildest and most appropriate check that could be devised upon the imprudence of youth.

With us, in Scotland, however, the law is wholly different. The civil law doctrine prevails here in its full force. Mere consent of parties, deliberately given, is alone sufficient to constitute a marriage, without a moment's delay, without any consent of parents or guardians, or any notice to them; add to which, that a mere promise of marriage, followed by consummation, or a living together as man and wife, without either formal consent or promise, amount also to a marriage, being deemed by operation of law to involve presumptions of consent.

We speak with all reverence of our country's institutions; and we know that in point of fact less evil has practically resulted from them than might have been apprehended; but we must admit that it is not unnatural for our neighbours to wonder how such a law can prevail in a civilized state of society, where marriage is, as it were, the very corner-stone of all the social edifice. A person under twenty-one years of age cannot sell or pledge, or in any way burden an acre of his land; but a boy of fourteen, and a girl of twelve, may unite themselves, on an acquaintance of half an hour, indissolubly for life. Nay, the heir to vast possessions and high honours, may be, at that tender age, inveigled by a strumpet of thirty, into a match, which, by its consequences, shall carry to the issue of her bed all his castles and dignities. This seems strange; and it is impossible to deny that it does expose our youth occasionally to most tremendous hazards. We have already said, however, that the practical evils are far less than might be expected, owing, perhaps, to the characteristic caution of our race; and we might say, that there are hazards and evils in the opposite system, which we, in our turn, wonder a little that the English should overlook. We do not propose, however, on this occasion, to enter into any comparison of the two laws; but merely to consider the consequences that have arisen from their conflict, and from what we cannot but think the inconsistent principles upon which their respective pretensions have on different occasions been adjusted.

The law of England, by allowing the validity of Scotch marriages between its own domesticated subjects, plainly renders that law quite nugatory, wherever there is a temptation to evade its enactments, that is, wherever the mischief exists, to punish which they were devised. The tradesman and his wife, and their children, are married regularly by banns; the person of maturer age and easy circumstances, weds by license; the consent of parents or guardians is given as a matter of course where the match is prudent. But wherever the parties ought not to marry—where there is disparity of years, or of station, or of fortune, then the law becomes a dead letter; these being the very cases for which its aid was wanted, and to regulate which its provisions were contrived—provisions, *in every other case*, rather incumbrances than advantages. The journey to Scotland is plainly a mere fraud upon the law of England—an escape from its penalties—an evasion of its authority. The residence in Scotland, which allows the Scottish law to regulate the contract as *lex loci*, is hardly colourable, or rather, it is no residence at all. The parties may remain within our territory during the half minute necessary to utter the words of mutual consent, and then recross the line and re-enter England. Straightway they are married to all intents and purposes! and all English rights, from the succession to a dukedom, down to the inheritance of a cabbage-garden, become irrevocably affected by the solemnity, or rather the mockery, enacted in Scotland. No matter how *illegal* the whole affair may have been—for it is illegal even in Scotland, and the parties are liable to censure, and strictly speaking, even to punishment; but this is never inflicted, unless a clergyman most needlessly lend his aid; and whether inflicted or not, the marriage stands good. "*Fieri non debuit, factum valet*," says the law of Scotland! "*Contractus habent vigorem secundum legem loci*," echoes the English law! with a view to frustrating its own most specific and positive enactments, upon the most important of all subjects.

It was not, indeed, always so held in the Courts of England: Influenced by the general principle, that whatever is plainly done *in fraudem legis*, shall not avail the wrong-doer, many great lawyers, and among them Lord Mansfield, refused to recognise the validity of those runaway marriages. Hints and even public doubts were flung out in different courts; but at length a case from one of the midland counties, came by appeal (*Letters of Request*) into the Consistorial Courts of London, and was finally decided by the Delegates, judging in the last Court—we allude to *Crompton* v. *Bearcroft*. Since that time, the doctrine there maintained has passed current—that

the bare fact of the marriage being good in Scotland, makes it good everywhere, without regard to the evasion of English law practised in the proceeding. Afterwards the case of *Ilderton* v. *Ilderton*, was decided in the Common Pleas. It was a writ of dower brought by a widow against the heir-at-law; the defendant pleaded *the uncques accouple in loyal matrimonie*—which put in issue the validity of the marriage—a Scotch runaway one. The Court held it valid, and the widow of that marriage had her dower.

Now, that such a state of things is eminently pregnant with inconvenience and mischief, needs hardly be stated; it obviously must be so. That it is peculiar to the Law of Marriage, is equally certain. In no other matter do our municipal laws suffer themselves to be evaded. A man cannot get into a boat at Dover, for the purpose of escaping the stamp laws, by drawing a receipt, which may be afterwards available in an English Court of Justice. He cannot go to Scotland and execute a will of lands in England, without three subscribing witnesses. If he could, whatever fraudulent devices any one had to set up, would be alleged to have been made at Gretna Green, and the check afforded by examining attesting witnesses, would no longer exist; and we should hear of Gretna Green wills to defraud the heir-at-law, just as we now do of Gretna Green marriages, to defeat the marriage act immediately, and in their consequences to affect heirs-at-law likewise. Is then the subject of marriage to be the only one where the Law of England permits the most gross and barefaced evasion of its provisions, merely because this is of all contracts the most momentous in itself, and the most grave in its consequences? If the Scotch Law were but a little different from the English on this head; if it afforded some securities against rashness and fraud, though of a different kind, there might be less reason for marvelling at the patience with which its inroads have been endured by the jurisconsults, and the legislature of the sister kingdom. But the diversity is entire and extreme; the securities are none—the transition is from great, elaborate, even excessive care and precaution, to a total absence of all care, and every precaution. And yet, no sooner was the protection given to Scotch marriages, avowed in the cases above cited, than all at once every thought of securing the execution of the Marriage Act vanished, and attempts have been since made rather to extend than diminish that protection, and consequently widen the breach which it has made in the peculiar enactments of the Marriage Law. Thus, a nobleman possessed of large estates, both in Scotland and England, as well as high honours in both countries, having a son before marriage

in England, married the mother on his death-bed, in hopes that this would legitimate the issue, in Scotland at least; and then, as the law would hardly hold a person to be a bastard in one country, and legitimate in another, an argument might possibly have been raised for a general legitimacy. The contrary doctrine of a general bastardy prevailed in this case, but upon grounds which made it more doubtful, what would have been the decision, if the marriage had been celebrated in Scotland. This, at least, is certain, that in the former case of *Sheddan* v. *Patrick*, decided in the House of Lords upon appeal, an English (or American) marriage of a Scotchman, was held not to legitimate the children *quoad* succession to Scotch estates, because it was said, that a question of *status* must always be decided by the *lex loci*—and the converse of the proposition would seem to make the ante-nuptial issue of a Scotch marriage generally legitimate. We are aware, indeed, of the late case in England, of *Doe* v. *Birtwhistle*, where the Court of King's Bench held, that the ante-nuptial child of parents domiciled in Scotland, and afterwards marrying there, cannot inherit an English real estate: But this, beside that it proceeded on very technical grounds, and that it is now under appeal to the House of Lords, by writ of error, seems at variance with the principles that ruled all former cases; for undeniably the child was legitimate to all intents and purposes in Scotland, the country of his birth, and the decision makes him a bastard on one side of the Tweed, and legitimate on the other.

The soundness or absurdity of any rule of law,—its consistency with the system it belongs to, or its repugnance to that system, is often best discovered, from the difficulty or ease with which it may be applied in point of principle to other analogous cases. And when judges have, from inadvertence, or partiality, or worse motives, (if in a judge worse motives can be,) departed from the principles of the law, in any one case, it never fails that other cases occur which show the error they have committed, by presenting much greater inconveniences as likely to result from the new and unsound principle, than were apprehended on its first adoption. When the Courts in Westminster Hall differed on the question of qualified acceptance, those who held the one opinion, (as we should say, the less sound,) were fain to admit its inconvenience, by refusing to extend it to other parties than the acceptor; and instead of at once saying, 'We were wrong in applying it to acceptances,' they said, 'The doctrine had been carried far enough already, and should 'not be carried farther;' evidently meaning, that it had been carried too far. Yet if it was wrong to extend it by a logical

application, it was wrong to have ever introduced it. The same fate has attended the principle introduced in *Crompton* v. *Bearcroft*, and adopted in *Ilderton* v. *Ilderton*. The judges unanimously declared their disinclination to apply it to divorce; and yet, if there be any soundness in the principle, "*Unumquodque dissolvitur eodem modo quo colligatur*," whatever jurisdiction sufficed to make a good marriage, was sufficient to make a good divorce. In Lolly's case, which was solemnly argued before the twelve judges, the validity of a regular sentence of our Scotch Consistorial Courts, dissolving an English marriage, was discussed; and the whole judges pronounced, that such a proceeding, how regular and formal soever, and although there was a sufficient residence to give a domicile to the parties in Scotland, and thereby a clear jurisdiction to the Scotch Court, was nevertheless of no effect to affect an English marriage; and this question, too, arose in the shape most favourable to the validity of the divorce, for it was raised by a conviction of felony, the offence consisting in a second marriage contracted in England after the Scotch divorce.

It was agreed by all lawyers who attended to that important discussion,* that there would have been but little difficulty in

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* We have been favoured by one of the counsel in the cause with the following note of the judgment in the case of Lolly, which has never, we believe, been reported, certainly never in any of our Scotch Reports, how interesting soever to Scotch lawyers. The reader is aware, that in England, when a person is tried for felony, and any point of law is reserved for the opinion of the twelve Judges, they are supposed to sit only as assessors, or to inform the conscience of the judge who tried the indictment. He alone has the power, by the Commission of Oyer and Terminer, and Gaol Delivery, to try the cause. Accordingly, the judges, after hearing the arguments on the point reserved, which they do in the Exchequer Chambers in term time,—in Serjeant's Inn (after their dinner) in vacation time,—deliver no opinion formally, but inform their brother privately, and he, or whoever is in his place at the next assize for the same place, pronounces the judgment. Mr Baron Wood tried Lolly's case at Lancaster Summer Assizes 1812. The case was argued by Messrs Littledale and Brougham in Westminster Hall, and Serjeant's Inn, the following Michaelmas term, and Michaelmas vacation. Mr Baron Thompson went to Lancaster the Spring Assizes 1813, and delivered the judgment. The note is as follows:—

'*Thompson, B.* began with stating at length the indictment and 'trial, *Coram Wood, B.*, and then stated the points reserved, reading 'the evidence from the Baron's notes. He said the case had been most 'fully argued before the twelve Judges, and that every point had been

the case, had the validity of Scotch marriages not been recognised in *Crompton* v. *Bearcroft*, and the subsequent decisions. To assert that, by the law of England, marriage is a contract which, when once validly made, can never be dissolved by any legal proceedings, and yet that the parties may, by going to Scotland, obtain a sentence dissolving it, provided there be no collusion in their conduct, seems opening a door to the most palpable evasion of the strictest rules laid down by the Legislature, and received by the jurisprudence, ecclesiastical and civil, of the country. But when the same law has, in distinct terms, and upon the most mature consideration, laid down the principle that no marriage shall be contracted by infants without the consent of parents or guardians, unless notice be given of the intention to marry by three public proclamations at a certain interval of time; and when, nevertheless, it has laid it down as another principle, that all marriages made, in evasion of its own prohibitions, by going for half an hour into Scotland, are valid to all purposes, in deference to the rule which makes the *lex loci contractus* the regulating principle in all personal contracts; surely it became very difficult to refuse effect to the same *lex loci*, where it was applied to the dissolution of the same contract. It became hardly possible to say, that men might bind themselves by the Scotch law, when in Scotland, to a certain effect—but should not release themselves from the obligation by the same law. It seemed absolutely repugnant to the principle which adopts the *lex loci*, in all cases of personal obligation, to hold that it applies to contracts, but not to discharges. A bond executed according to the forms of a foreign country binds here. But does not a release executed according to the same forms, discharge the parties? There is an end of the grounds on which marriages *in fraudem legis* rest, if no force is given to divorces *in fraudem legis*; for the validity of the former depends entirely upon the authority which the *comitas* of one system of jurisprudence shows towards another; or rather upon the interests and convenience of men living in neighbouring countries; or having, even though living

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' made in it on both sides, and he proceeded in these words:—' The
' ' Judges were unanimously of opinion against the prisoner, upon
' ' both the points reserved. They all agreed,
' ' 1. That a marriage solemnized in England is indissoluble by any
' ' sentence either at home or abroad, or by any authority except by
' ' an act of the Legislature. 2. That the proviso in the statute (1
' ' *Jac.* 1. *c.* 13.) relates only to the proper Ecclesiastical Courts of
' ' England; consequently the prisoner is well convicted;'—and he sen-
' tenced him to seven years' transportation.'

far apart, much intercourse together—though their laws are not alike. The rule in Lolly's case is the more contrary to the principle of the marriage case; because, independent of the fact having been committed in evasion of the English law, it denies that any force can be given to a foreign divorce, even when the parties are regularly domiciled in a foreign country, have a *bona fide* ground of dissolving their marriage, and have not gone abroad with the intent of defrauding the laws of their own state.

As, therefore, it must be admitted, that the English judges, in deciding Lolly's case, passed by the former decisions, and came to a resolution wholly repugnant to the principle which those decisions recognised, it is quite clear that a doubt, to say the least of it, was now entertained, touching the soundness of that principle; in other words, that if *Crompton* v. *Bearcroft*, and *Ilderton* v. *Ilderton*, had been to be determined now, the decision would probably have been different. It is, however, too late at the present day to overturn those older cases, even with the help of Lolly's case, and the law stands hampered with an inconsistency, exceedingly unseemly, and leading to hurtful doubts and difficulties respecting other cognate points in the questions relating to marriage, legitimacy, and divorce. Among other effects of this conflict, is the doubt respecting the *validity* of a *Scotch marriage*, after a Scotch divorce from the *vinculum* of an English marriage.

The courts of England would find this, we will venture to say, one of the most difficult cases to deal with: For they have held, at once, that an English marriage cannot be dissolved by a Scotch divorce, and that a marriage is valid in England if good in Scotland, where it was contracted; and that, whether it was contracted in fraud of the English law, or *bona fide* between parties domiciled in Scotland, cannot make any difference. Then, can the former state of the parties, the *vinculum* under which they left England, be taken notice of, when there has been a good Scotch marriage contracted? That the Scotch law regards the divorce as good, no man doubts. In Scotland, therefore, the parties are free to remarry with others, and their second marriage is good there; consequently it is good in England, within the principle of *Crompton* v. *Bearcroft*, and *Ilderton* v. *Ilderton*.

To this it may be answered, 'Well, be it so. In the case 'supposed, the Scotch law applies; and still Lolly's case stands 'as before.' With great submission, we think, first, that this is not '*well*;' and, next, that 'Lolly's case stands not where it 'did.' For that case was decided on a view of the mischief apprehended in England from allowing English marriages to be

dissolved by going to Scotland; a mischief most serious in every view, and calculated to alter the whole frame of English manners and society. But, there is an end of all security against this evil, if the case we are putting be law; for the object of a divorce being to enable the parties to remarry with others, this object may be easily obtained, by first being divorced in Scotland, and then *marrying in that country.* The *indissoluble* nature of marriage is thus at an end, and the judges have departed from the principles of the law to no purpose. They took the wrong course, as judges are but too apt to do. They preferred legislating to judging—making new law to administering the old; and thus, as always happens, after much hurtful delay, many perplexing and costly doubts, and not a few cases of inextricable embarrassment in the most delicate relations of human life, all of which could have been prevented easily by an act of Parliament, the Legislature must in the end be appealed to for regulation and for help.

We conceive that the season is fully arrived for invoking this needful aid. The subject has a right, an indisputable right, to know whether or not his wife is a mistress, and his children are bastards. To delay any longer giving him this information, that you may avoid charging your old law with a defect, or your late decisions with inconsistency, would be laughed at as the most childish and ridiculous vanity, were it not deserving of grave reprobation as the most cruel and wilful injustice.

The only difficulty that can be interposed in the way of the amendment required, arises from the dislike to change a fundamental part of Scotch law. English lawyers, in all probability, would be at once for altering that law, and would certainly see no harm in making clandestine and illegal marriages invalid in Scotland, as they are in England, and in preventing married parties from obtaining a divorce here, any more than they can in England, without going to Parliament for help. Whatever lessens the number of improvident marriages, and, making marriage 'a thing not lightly to be undertaken,' declares, that it shall be irrevocable when done, will certainly appear to them best suited to the nature of the contract, and to the best interests of the community, whereof it forms the main pillar. But we in Scotland are by no means prepared to admit all this; and, fortunately, this extent of change is not at all necessary to remedy the evils complained of in England, or render the existence of our old law in its neighbourhood, compatible with the existence of an opposite system among our fellow-citizens in the south. The state of things as it now stands cannot last long; the English law is becoming a dead letter, in its most weighty chapter,

in consequence of our vicinity. Now, all that is necessary to remedy this mischief effectually, is to declare, that no persons *other than natives of Scotland* shall intermarry there, without a certain length of previous residence. This would be quite unexceptionable in principle; for it would only be applying to this contract the same rule which applies to jurisdiction. The courts of Scotland claim no jurisdiction over foreigners, unless they have property within the country, or can be made amenable by means of arrestment, that is, process against the debtor's debtor, or have resided forty days, so as to acquire a domicile for the purpose of being sued. It would, furthermore, be according to the analogy of divorce, which can only be sued for in our Consistorial Courts after the above term of residence has conferred a domicile, and consequent jurisdiction. Are there any rational objections to this change in our municipal law?

First of all, it may be observed, that the change can hardly with any propriety be termed an alteration of the municipal law of Scotland, for it affects the rights of no one who can be deemed a Scotch subject. It affects not even residents within the country. The only persons who can be touched by it, in any manner of way, are strangers, who come here for a short time, and wish to be married without remaining six weeks. These may at any moment go to England, and be married in a fortnight by banns, or in an hour by license—unless, indeed, they are persons who have run away from their parents or guardians, and who, therefore, ought to receive no protection or encouragement elsewhere, in the accomplishment of an improper purpose. In short, the only persons who can be affected by such a wholesome regulation, are those, whose attempts to defeat the law of England, and contract, in defiance of its provisions, imprudent, or immoral matrimonial alliances, will be frustrated by the enactment, which prevents the law and the vicinage of Scotland from enabling the subjects of England to set one of its most sacred laws at defiance. England might, by its own local decisions, refuse to acknowledge the validity of Scotch marriages between English subjects altogether; while the proposed law would only affect the validity of such marriages so far as the parties may have rights in Scotland. But, by the nature of the thing, they can hardly ever have any rights in Scotland, capable of being dealt with exclusively by the Scotch law, because by the supposition they have no natural connexion with the country. The real effect of the change, therefore, so far as Scotland is concerned, is absolutely nothing. No nation has a right to become the means of destroying another's institutions, with respect to that other's proper subjects. This is the foundation of most

of the rules which constitute the law of nations. But the principle applies with tenfold force to the case of two nations, connected as England and Scotland have been for ages, peopled by the same races, and living under the same government.

There can then, we may safely assume, be little doubt, that a restraint ought to be imposed upon the marriage in Scotland of foreign subjects. But the improvement in our law will be incomplete, unless it be enacted, that some restriction shall be imposed also upon Scotch divorces. Can there be any possible objection, to declare that a Scotch court shall have no power to dissolve any English marriage, unless the parties have either a landed estate in Scotland, acquired before marriage, or coming to them by descent, until they have been domiciled in the country for a considerable period, say three years,—it being at the same time declared, that dissolutions, effected under these conditions, shall be recognised as valid in the courts of England, and shall liberate the parties as effectually as a divorce bill, obtained by residents in that country? The desire to get rid of a burdensome marriage, and to contract new relations, is, we fear, often quite strong enough to make parties take up their residence in Scotland for months; and there can be no doubt, that the very essence of marriage, according to the English law, is, that being once contracted, it should be substantially indissoluble, whether we regard the great interests of the children, or the still greater object of domestic comfort, and of morality. Some such preventive to the mischief created by the Scotch law removing from the English nuptial tie its proper indissolubility, appears imperatively required at the hands of the Legislature; while it is plain that the law of Scotland, by getting rid of the hazard of having its divorces utterly disregarded in the courts of England, or even turned into a snare for the punishment of English subjects who rely on them, would gain infinitely more than it could lose by the alteration. To pretend, therefore, that Scotland or Scotch subjects, have the most remote interest in obstructing the application of this needful remedy, is altogether preposterous.

These observations, the result of much reflection, and of a close attention to what has been passing in the sister kingdom, we submit to the candid consideration of both countries. Some may prefer the longer period of time, specified in the second suggestion, and may hold it right to prevent English subjects from marrying in Scotland, without a much longer residence than six weeks. We have chosen that term, because it is known in our law of domicile and jurisdiction; because there may arise many cases of inconvenience, from delay of marriage, or

from going to England for the facility of contracting it, while, in divorce, such instances must of necessity be rare; and, above all, because the fundamental difference of the two systems of law is truly confined to divorce, the regulations only varying in the case of marriage. It seems, therefore, unnecessary to limit the right of marriage more than we have proposed, since, by removing to England, the contract can at once be entered into. But when no proceeding in England can set aside an English marriage, no proceeding at least in a court of law, it seems fit to prevent any residence in Scotland, which may fairly be deemed colourable, and undertaken in order to evade the English principle, from compassing such an evasion. However, we shall close these remarks with expressing our belief, that, even if there should be found any difference of opinion as to the details of the measures, the necessity of some alteration, founded upon the principles here stated, cannot be called in question by any one who has maturely weighed the merits of the question.

ART. VI.—*Substance of the Principles of* PESTALOZZI, *delivered at the Royal Institution, Albemarle-street, May* 1826, *by the Rev.* C. MAYO, *LL. D.*

Account of the NOVUM ORGANON *of* BACON. *Nos. I. and II. Published by the Society for the Diffusion of Useful Knowledge*, pp. 64. Baldwin. London, 1827-8.

DR MAYO has rendered a most acceptable service to the public in this country by the able, amiable, and well-written statement which is contained in the first of these works. While the name of Pestalozzi is known as a familiar household word on the Continent, and his memory, now that unhappily we have lost him, is everywhere held in pious veneration, we in this island, from accidental circumstances, are hardly acquainted with its sound, and know not that to him the world stands more deeply indebted than to any other man for the beginning of the sound and benevolent system, now making such rapid strides, the improvement of the poorer classes of the people. It is a just as well as a pleasing and a useful office, to give the author of so much unmingled good his due praise; and we feel great delight in being the means of diffusing the history of his improvements, and making our countrymen dwell for a little while on the virtues of the man and the writer, whose merits and fortunes we are about to contemplate.

The master principle of Pestalozzi, that the poor are our brethren, is as old as the Christian dispensation. The practical

application of it, however, is less ancient—by nearly eighteen centuries; for it was Pestalozzi who first taught men how to act upon the divine truth, and apply it really to the affairs of human life. Before his time, enough was supposed to be done by Christians, if they preached against pride, and commended humility—professed love of their neighbours and forgiveness of their enemies—and gave part of their abundance to relieve the poor man's necessities. More than enough was held to be accomplished if they endowed hospitals and alms-houses, and in various other ways made the rich contribute to the wants of the poor. But still the two classes were considered as essentially different—as much separated by an impassable gulf, as if they belonged not to the same species. They were to be treated differently, therefore, in moral as well as in physical respects. They were to hear the same scriptures, believe the same creed, and worship the same God; in rewards and punishments, both here and hereafter, they were to have the same measure meted out to them: But in all things intellectual, in the culture of the mind, in the treatment of the understanding, upon which mainly depends the whole of every one's character, both moral and religious, there was to be one rule for the rich, and another for the poor; one principle for the few of the upper and middle classes, another for the multitude of the lower order. Enjoyment and ease of body being the lot of the former, with them were conjoined the luxuries of education, so that the pleasures of the mind might alternate with those of the senses; penury and labour were the fortune of the latter, and an exclusion of all the gratifications which knowledge and meditation bestow.

That this distinction arose from ignorance or inadvertence, and not from harshness or from design, is undeniable. It seemed natural to say, 'The labourer has no time to read or to think.' It seemed still more correct to ask, 'What cares the peasant 'for speculation? of what use is science to him? what pleasure 'can he take in learning?' For the fact is, that the state in which, through want of education, we found him, fully justified this exclamation. He was ignorant, and therefore knew not the delights of knowledge—brutalized, and could not understand the enjoyments of refinement—benighted, and had no eye to receive the light. The fact was, as the unheeding reasoner stated. It was literally true, that the day-labourer cared for none of these things, and that his thoughts and wishes never travelled beyond the daily toil which earned his daily bread. But the cause of this was the very neglect in which he had been left; and though there might be blame for those who had so neglected him, there was no truth in the inference drawn from the conse-

quence of their omission, against the duty of supplying it. The like argument is oftentimes used, and with the same sophistry, against giving freedom to the negro slave. 'He cares not for 'liberty, and is happier in his bondage,' say they who would make it perpetual. The answer is triumphant; 'The fact that 'his bondage has destroyed all love of liberty, is the strongest 'reason for breaking his chains, because it is the most melancholy 'effect of that unnatural condition.'

The clearness with which Pestalozzi saw, and the steady and glowing enthusiasm with which he pursued and inculcated the great maxim, that no man, be his station ever so humble, or his life ever so laborious, ought to be without knowledge, nay, without science; and that the pleasures of philosophy are both accessible to all classes, and reconcilable with the habits and hardships of the most hard-working men, can scarcely be explained except by marking the progress of his own experience. It required daily observation of what actually happened before his eyes to imbue him so thoroughly with these great principles, averse as they seemed at first sight to all our prepossessions. But a very interesting account of the circumstances in his early history is given by Dr Mayo in the tract before us; and certainly they do throw great light upon this matter, proving clearly that actual experience, and in his own person, of the virtues of the poorest and humblest classes, laid the firm foundations of this great teacher's confidence in his enlightened doctrines. We rejoice to lay before the reader so beautiful a passage as the following, which at once introduces Pestalozzi to his familiar acquaintance, and illustrates so successfully the origin of his system.

'Pestalozzi was born at Zurich, in the year 1746. His ancestors were Protestants, of Italian extraction, who, during the troubled period of the Reformation, were driven from the Milanese, and had chosen for their abode a city marked for its attachment to their faith. Under its liberal government they had flourished and risen to the first consequence. Pestalozzi's father, however, does not seem to have shared in the general prosperity of the family. His early death left his widow with one son in very straitened circumstances. With his dying breath he commended his family to the care of a female domestic, and the fidelity and devotedness with which she discharged the office she undertook impressed on the tender mind of Pestalozzi that strong sense of the virtues of the lower orders, that respect and love for the poor, which have so marked his character, and exercised so powerful an influence on his life. Barbara sympathized in the family pride, and many were her ingenious contrivances, as Pestalozzi delighted to describe, for maintaining an appearance of respectability in the midst of their poverty. Her great aim seems to have been to nourish in the mind of her young master that feeling of honest inde-

pendence which prevailed in those days almost with the intensity of a passion.—'Never,' she would tell him, 'never has a Pestalozzi eaten the bread of private compassion since Zurich was a city. Submit to any privation rather than dishonour your family.'—'Look at those children,' she would say, as the poor orphans of Zurich passed the windows, 'how unfortunate would you be were it not for a tender mother who denies herself every comfort that you may not become a pauper!'—If a tinge of haughtiness be sometimes thrown over the dignity of Pestalozzi, to influence like this it might not unreasonably be traced. To this influence he himself attributes that master passion of his soul, the desire of conferring true independence on the poor, of raising them above the abjectness of poverty, by elevating their characters to endure what they cannot remedy, by developing their faculties that their resources may be increased, and purifying their taste that they may not be wasted.'

He began his enterprise with an agricultural scheme, which he chose because of its fitness to bring him in contact with the poor, and enable him to improve their condition. He established his first poor-school at Reuhoff; and it was a place of industry as well as of instruction, the leading maxim being, that learning is the privilege of leisure after work; and that until he has helped to feed and clothe himself, no one has a right to gratify his speculative curiosity. A manufactory was connected with this institution, and the children were taught while at work. Want of funds, and incapacity for attending to minute savings, brought him into embarrassment; but 'he struggled,' says Dr Mayo, 'with ill fortune, divided his bread with his 'scholars, and lived himself like a mendicant, that he might 'teach mendicants to live like men!' The following passage will be read with the deepest interest by every good man, and pondered upon by every wise one. It shows, moreover, the origin of his literary character, as plainly as the former extract did the source of his peculiar opinions.

'After several years of continued labours and privations, he was compelled to abandon his enterprise; but he was never more convinced of the goodness of his project than at the moment when he was obliged to renounce it. In that school of misery the natural kindliness of his character strengthened into enthusiastic benevolence; he had drunk deeply of the bitter cup of penury, but this had only quickened his desire to sweeten the draught for others. His intimate connexion with the abject poor confirmed his contempt for externals, and his love for unprotected, unportioned humanity. Above all, the length of his struggle with misfortune had strengthened his constancy, and confirmed his reliance on Providence. The habitual disposition of his mind was to appeal from the threatenings of fortune to the mercies of God, and thus, through the changing tide of chance and pain, he was enabled to hold on his course unfaltering. There is a depth in Pestalozzi's sentiments, whether expressed in conversation, pourtrayed

in his writings, or carried out into action, that marks the man who has wrestled with adversity, and knows the bitterest ills that flesh is heir to, not by report, not by imagination, but by long and painful experience. This gives to his popular tale, entitled Leonard and Gertrude, composed after the failure of his first enterprise, a vigour and freshness of conception, a truth and strength of colouring, aided by an original, though unpolished style, which have made it a lasting favourite with the lower orders in Switzerland. So highly was it esteemed, that many a pastor has assembled his little flock under the village linden tree, and read it and commented on it to his people.'

But this great light, however obscured, was destined to re-appear, and shine forth to guide and to bless mankind. After some years spent in literary retirement, he was invited in 1798, by the Government of Unterwalden, to establish a school at Stantz, lately ravaged by fire during the revolutionary war, and he at once accepted the proposal, though he had neither the means of accomplishing the plan at his own command, nor was furnished with them by the state. The children came in crowds, flocking for relief and nurture, as well as for instruction. Pale, dejected, their bodies the victims of want—their minds of misery and vice—they are thus painted by Dr Mayo, from his own words: 'The features of each little countenance altered, their 'looks disturbed, and their foreheads wrinkled with misery and 'suspicion: some also were impudent to an excess, full of lies 'and artifices, corrupted by the habit of begging; whilst others, 'bent beneath the weight of their afflictions, were patient and 'docile, but, at the same time, timid and abashed, and stran-'gers to everything like affection.' It is delightful now to have this great philanthropist's own words in telling the story of his successful experiment upon this seemingly hopeless case.

''My first task,' writes Pestalozzi, 'was to gain the confidence of my pupils, and to attach them to me; this main point once attained, all the rest appeared to me easy. The deserted state in which I found myself, all painful as it was, and the absolute want of assistance, were precisely what contributed the most to the success of my enterprise. Cut off from the rest of mankind, I turned all my cares and all my affections to the children; to me they were indebted for all the relief they received. I partook alike of their pains and their pleasures; I was everywhere with them when they were well, and when they were sick I was constantly at their bed-side. We had the same nourishment, and I slept in the midst of them, and from my bed either prayed with them or taught them something.' With all the difficulties of his position, to which, at one period, sickness was added, Pestalozzi struggled for many months. 'In 1799,' continues Pestalozzi, 'my school contained nearly eighty pupils, the greater part of whom announced good dispositions, and some even first-rate abilities. Study was to them quite a novelty, and they attached themselves to it with

indefatigable zeal, as soon as they began to perceive their own progress. The very children who before had never had a book in their hands, applied from morning till night; and when I have asked them, after supper, 'My children, which would you rather do, go to bed, or learn a little longer?' they would generally reply, that they would rather learn. The impulse was given, and their developement began to take place with a rapidity that surpassed my most sanguine hopes. In a short time were seen above seventy children, taken almost all from a state of poverty, living together in peace and friendship, full of affection for one another, and with a cordiality that rarely exists among brothers and sisters in numerous families. I had never given them as yet direct lessons either in religion or morality; but when they were assembled around me, and when there was a dead silence among them, I said to them, 'When you behave thus, are you not more reasonable beings than when you make a riot?' And when they used to embrace me, and call me their father, I used to say, 'Yes, you are ready to call me father, and yet you do, behind my back, things which disoblige me: is this right?' Sometimes I would pourtray to them the picture of a peaceable and orderly family, who, having acquired easy circumstances by their labour and economy, found themselves capable of giving advice and assistance to their ignorant, unfortunate, and indigent fellow-creatures: then addressing myself to those in whom I had perceived the most lively disposition to benevolence, I would say, 'Should you not like to live like me, in the midst of the unfortunate, to direct them, and to make them useful to themselves and to society?' Then, with tears in their eyes, and with the generous glow of sensibility in their little countenances, they would reply, 'Oh! yes, could we ever hope to attain to such a point.' When Altorf was reduced to ashes, I assembled them around me, and said to them, 'Altorf is destroyed, and, perhaps, at this moment, there are more than a hundred poor children without clothes to cover them, without a home, or a morsel to eat. Shall we petition the government to permit us to receive twenty of them amongst us?' Methinks I still see the eagerness with which they replied, 'Yes, oh! certainly, yes.' —'But,' replied I again, 'reflect well what you are about to ask; we have at present but very little money at our command, and it is very doubtful whether they will grant us any more in favour of these unfortunates. Perhaps, in order to maintain your existence, and carry on your instruction, it will be necessary to labour much more than you have ever yet done; perhaps it may be necessary to divide with these strangers your victuals and your clothes; do not say, then, you will receive them among you, if you are not sure you will be able to impose upon yourselves all these privations.' I gave to my objections all the force they were capable of; I repeated to them all I had said, to be sure that they perfectly understood me; still they persevered in their first resolution. 'Let them come,' said they, 'let them come; and, if all you have stated should come to pass, we will divide with them what we have.'"

Without affecting a peculiarly romantic or sentimental turn

of mind, we will confess that we little envy the heart, and quite as little the head, of him who can read this most interesting passage unmoved. To us it has a charm far more resistless than any tale of wonder or of sorrow, indeed a more touching pathos than almost any incident we could name. Yet it is the tale of real life, and it is replete with lessons of the most useful practical wisdom.

In the establishment at Stantz, where experience for a length of time matured his ideas, and corrected the errors he had at first fallen into, he was led to adopt the plan of teaching by way of mutual instruction, afterwards invented by Dr Bell at Madras, and by Joseph Lancaster in this country, each apparently without any knowledge of what the other had previously done. But in his hands the mechanism was constructed, not upon the principle and analogies of civil or political subordination, but of domestic and patriarchal government. The operation was similar, though more simple, and the effect was far better. The troubled aspect of the times, and the persecutions of various kinds which he suffered, brought the scheme to a close, but not till after its success had been confirmed, and its benefits felt. He next removed to Burgdorf, in the Canton of Berne, where he was happily joined by some men of good talents and attainments. On their minds he impressed the fundamental principles of his system, and he taught them the method by which the work of instruction is to be carried on. These are not mechanical but rational, and consist in teaching the mind to observe accurately and reason closely, in reliance on its own faculties, not to depend upon mechanical helps alone. Instead of trusting to mere reading and writing, the child must be taught, in the *first place*, to use its senses, for the *accurate observation of things*, which forms the basis of all knowledge; in the second place, to express, with correctness, the results of his observation; and in the third, to reason justly, upon the various objects of perception and of thought. The enthusiasm of the master soon passed into the minds of these coadjutors; the school was begun, and speedily crowded by pupils of all ranks. The government, and its resources, all men of eminence, joined in promoting it; and the happiest results appeared undoubted, when political convulsions once more dispersed it, and again so fair a prospect was overcast.

His next attempt was to establish a poor-school five miles from Berne, and half a mile from Hofwyl. In Mr Fellenberg he found a most worthy associate; and working on the same plan, has carried its execution to a pitch of success, and upon a scale, in point of extent, sufficient to show that no bounds can

be set to its capacity of improving and enlightening mankind. Pestalozzi himself then settled at the Castle of Yverdon, where he carried on a large seminary for the education of the upper and middle classes of the community.

'The fame of his method was now very generally spread through Switzerland and Germany, and young men, from all quarters, assembled under his paternal roof to act as instructors. Pupils from the remotest part of Europe constituted one happy family around him. They formed numerous classes, each having at its head an instructor, who lived with the scholars, joined in their games, and shared in their amusements; thus connecting himself with their pleasures as well as their duties, he was enabled to win their affections, and gently mould them to his purpose. The virtues of Pestalozzi were the bond that united them. His simple piety taught them to regard the Almighty as their common father, in whose continual presence they lived, and on whose constant bounty they had to rely. One another they were led to regard as brethren, and the affection with which their masters treated them, and which overflowed in every word and action of Pestalozzi himself, contributed to impart a character of mutual kindness and love to the whole group. This religious influence over his pupils was limited to the cultivation of pious feelings; the formation of the opinions, the inculcation of their particular mode of faith, was left to the ministers or teachers of their respective persuasions. The institution of Yverdon has proved the fruitful source from which many establishments have emanated, in some of which the views of Pestalozzi are closely followed, while in others they are materially modified, or admitted only in particular branches. Pestalozzi's own institution, undermined by his ill-regulated generosity and want of order, has been finally ruined by disagreement among his coadjutors, mismanagement of his pecuniary resources, and by confidence ill-placed and ill-requited. After a long series of vexations and disappointments, he has been driven into an involuntary retirement, and the clouds which alternately darkened the prospects of earlier years, and were dispersed by his energy and talent, seem settling over the sun-set of his days.'

The peculiarities of his method of teaching have been detailed to the public in Mr Brougham's evidence before the Education Committee; and the too great abstaining from the help of books has been, perhaps justly, remarked as a slight defect. But, at the same time, it is certain that the plan strengthens the faculties of the mind in an extraordinary degree;—that whatever is observed, is well observed, and whatever is learnt, is deeply impressed on the memory, and long retained; and it is equally certain, that no other teacher in modern times has duly perceived the importance of carrying on bodily training with mental instruction. Gymnastics, a most essential part of education, form a fundamental part of his plan. Nor can any one doubt, that to him is due the praise of first presenting the

grand truth, now the foundation of all the efforts, making with such signal success, for the improvement of our kind,—that the pleasures of science are the inheritance of the poor, as well as the patrimony of the rich.

This great teacher died in Switzerland last February, at the advanced age of fourscore and one. In his outward appearance he was as little prepossessing as can be conceived. His features were harsh and forbidding, and only became pleasing when they were lighted up with the benevolent ardour that peculiarly glowed within him, and animated all his actions. His high descent appeared not in his presence, which was mean and plebeian to an extraordinary degree. His language was the worst of German, and worst of French, nor were these kept at all distinct. His pronunciation was barbarous, and his articulation, of late years at least, not such as to make him easily heard,—whilst hearing him did not lead to distinctly understanding him. No doctrine ever derived less aid from the Graces, or even illustration from the didactic faculties of its author. The mighty and prevailing force of truth had from his preaching no adventitious aid, save in his impressive enthusiasm, and in the amiable simplicity of his attractive character. To Mr Fellenberg, the Apostle—the Paul—or the All—of the system, its obligations are unbounded. He improved it prodigiously, corrected fundamental errors, joined it with other methods, and steadily and judiciously practised its principles upon a magnificent scale. If it be true, which we do not question, that without the experiments at Stantz and Burgdorf, the fine structures of Hofwyl, and her humbler but more interesting cottages, would never have arisen, it is equally true, that without Fellenberg and Verli, the illustrious Pestalozzi would have lived in vain.

We close our account of this subject, by extracting the very dramatic introduction of Dr M[illegible]yo to this valuable tract, as showing the qualifications of our author to handle it.

'Some years ago an Irish gentleman, travelling through Yverdon, in the Pays de Vaud, was prevailed [illegible] to spend a couple of hours in the Institution of Pestalozzi. The first class he inspected was carried on in a language not familiar to him, yet was he much struck with the intelligence and vivacity pourtrayed in the features of the pupils. But when, the following hour, he witnessed the power of the method in its application to arithmetic, he discovered in the scholars a clear conception of number and its relations, a precision and rapidity in mental calculation, and an animation and interest in their employment, which convinced him that a secret had been discovered by Pestalozzi, and he was resolved, if possible, to penetrate it. The proposed visit of two hours terminated at the expiration of three months; nor was his ad-

miration of the method confined to a bare speculative reception of the principles; he transplanted into his own country the practical truths he had learned in Switzerland, and though Providence has interrupted the course of his more extended labours, he still, in the bosom of his own family, applies the lessons of Pestalozzi, and teaches his children to revere his name. It was not a theoretical examination of the method that effected this conviction and animated to these exertions; it was a personal view of the practical influence of the system, in scenes lit up by the genius and warmed with the benevolence of Pestalozzi himself. Could I transport you in thought to the scenes where Pestalozzi lived, and taught, and suffered with his scholars, the heart would feel even before the understanding discerned the beauty, the truth of his principles. A skeleton view of his system might lead you to a cold approbation of his views, but it must be the living, the breathing portraiture of the man that must awaken your love, and dispose you to imitate what you have learned to admire. I have seen him surrounded by his pupils, have marked the overflowings of his tenderness; I have read in a thousand traits of good-nature the confirmation of his history. I have witnessed the affecting simplicity, the *abandon* with which he speaks of all he has done and essayed to do for humanity. Could I convey to others the sentiments I feel for him, Pestalozzi would be loved and honoured as he deserves. Three years of intimate connexion with him, every day marked with some proof of his affection, may well have knit my heart to his; and among the most cherished recollections of the past is, that Pestalozzi honoured me with his friendship, and thanked me for cheering his decline.'

These things naturally lead us to the consideration of the efforts now making, upon so large a scale, and with such ample success, in this country, for diffusing the blessings of knowledge through the whole mass of the community. We have repeatedly called the attention of our readers to the important labours of an Institution, hardly an year old, which has already shown a vigour and skill in its operations, that bid fair to place its foundation in the very highest rank among the events of our age. We have now before us the First Yearly Report of its Committee, and the picture exhibited, of bold, decisive, and judicious measures, fills us with the most cheering prospects for its future progress.

It is known to our readers, that the Society chooses a Committee of active, respectable, and learned individuals, who conduct its affairs. Any one becomes a member of the Society, by subscribing a pound a-year to its funds; but the Committee is chosen by ballot, and chosen, apparently, by its own members, a regulation at variance with general principles of government, but rendered necessary, by the unrestrained admission of all subscribers into the Society at large. The Report before us is the account rendered by the Committee of their stewardship.

The first great work undertaken was the Series of Treatises, called the '*Library of Useful Knowledge.*' 'Scarcely nine 'months have elapsed,' says the Report, 'since the first publi- 'cation issued from the press, and at the close of the last year 'a circulation of nearly 20,000 of each Treatise has been esta- 'blished.' We observe the eighth edition of the Preliminary Treatise announced; but with the exception of that and two others, all the Tracts have been of an abstruse nature, from their subject; and reading them, instead of a mere amusement, was an act of labour. The Committee justly observe, therefore, that the vast number of their readers proves how extensively the thirst for knowledge is spreading among the people. The following important information shows the extensive resources which the Society has at its command, and is alike creditable to it, and consolatory to the country.

'The aid which the Committee have derived from men of science and of letters, in every part of the kingdom, while it reflects on the cultivators of sound learning the highest honour, removes the necessity of affixing any limits to the operations of the Society. In concert, though not in communication with each other, except through the Committee, men of various talents are everywhere at work, furthering, by their genius and acquirements, the same great design, and carrying on its various branches, from the most popular and easy matter, to the most refined and abstruse speculations. Sometimes a few combine and co-operate where the departments are connected; sometimes more than one are engaged on a single work, the one supplying the matter, the other arranging and writing it; one communicating the doctrine, another illustrating and applying it: it has constantly been the lot of different individuals to revise each other's compositions. The division of labour has been successfully applied to the important work of public instruction, and must produce its wonted results, in multiplying useful productions, and increasing the excellence of their workmanship.'

An interesting statement is then given of the proceedings in preparation by the Committee. The series of History and Biography is about to be commenced; and a pledge seems to be given, that these subjects shall be handled with perfect calmness and impartiality, but with a constant adherence to the general principles of the Society; that is, to the doctrines of Liberty and Peace. Our views on this point have already been given; and surely so great, so useful a work, never yet has been achieved by literary men, as the Society will accomplish, if it gives to the world a set of Histories, well and correctly written, 'avoiding vague and diffuse generality, as well as minute and 'uninstructive detail;' stripping, on every occasion, successful crime of its outward splendour; honestly holding up vice to ab-

horrence in its native hideousness;—above all, faithfully showing mankind, that all War, except for self-defence, being a crime, all military glory is a national disgrace, save where 'arms were 'piously, because of necessity, wielded;' and plainly and impressively denouncing as disgusting, how bold, or clever, or thriving soever, every resource of craft, and bigotry, and intrigue.

But besides the continuance of the library now publishing, another is, we find, about to appear, under the Society's auspices; it is termed the *Library of Entertaining Knowledge*, and is to comprise 'as much entertaining matter as can be given along 'with useful knowledge, and as much knowledge as can be con-'veyed in an amusing form.'—We own that our expectations are unbounded of the good to be done by this series of works. No one who has not closely applied himself to the grand business of teaching, can conceive how large a mass of important information can be taught, so as to require but little pains, and yet to convey the greatest entertainment and delight. A vast variety of instances of this are given in the Society's preliminary discourse; and the close alliance between amusement and science is there demonstrated by a thousand examples. A series of works, carrying the doctrines of the Discourse into practice, filling up its outlines in all parts, the last as well as the first, and furnishing the community with the primary wares in the bulk, of which it only presented the samples, will be a monument of the Society's wisdom, and be also its greatest triumph.

The next object of the Society is one of the last importance; the defective course of reading adopted in this country, time out of mind, for children. The following remarks contain the soundest doctrines, clearly and strongly stated: 'Those who are 'acquainted with the practical management of children, know 'how extremely imperfect, indeed pernicious, are many of 'the books first put into their hands; at a time when the 'understanding is forming, as well as the character, every-'thing seems, in those books, to be contrived for weakening the 'faculties, and perverting the feelings. The most silly and un-'meaning, the most false and miserable things are to be learnt 'at an age when the memory most easily receives impressions, 'and the season is lost for imprinting on it useful lessons which 'might last for ever. The tales of horror so constantly taught 'belong to a worse class; their effects upon the future happiness, 'and even character of men, and still more of women, can hardly 'be exaggerated. To say of most children's books that they teach 'nothing, would not be, by comparison, a very great, but assured-'ly it would be an undeserved, praise. To remedy this serious

'evil, and greatly to multiply the few good and wholesome books 'now in use for children, among which Mrs Barbauld's, Dr 'Aikin's, and especially Miss Edgeworth's, occupy by far the first 'rank, is one of the objects to which the attention of the Com- 'mittee is pointed. Scarce as is the supply of such books, the 'disposition to use them is yet more limited; and it is in con- 'templation to pursue measures for the more general diffusion 'of right principles upon this very important branch of educa- 'tion.'

It is evident that the remarks in this passage apply fully more to the absurd and pernicious practices of parents, than to the kind of children's books within their reach. '*Video* '*meliora proboque, deteriora sequor,*' may with great truth be said of almost the whole community in this important particular. There is no absolute lack of sound and useful books for children; but they who have the care of supplying them, do not put such safe and wholesome books into their hands. It may be added, that the number of the said books is too small. A *very great variety* is required, for the choice, both of the children themselves, and those who have the care of them. We trust the Society will take proper steps for multiplying these works in great variety, and also for setting the fashion, so to speak, of bringing them into constant use.

A highly useful work, recently published by the Committee, is mentioned in the next part of the Report—the British Almanac. It seems the circulation of the common almanacs is enormous. One sells to the number of half a million, notwithstanding a heavy duty of 1s. 3d. upon a shilling tract. The nonsense and impertinence which some of the most popular of these works contain, the ribaldry and indecency which disfigure others, attracted the Committee's notice, and the rather, when they observed religious bigotry mixing itself with their other faults. One of them dates the year from the 'hor- 'rid, Popish, *Jacobite* Plot.' Another gives a print of a soldier, (supposed to be a great commander,) flourishing a standard with '*Ecce Homo*' upon it, mounted on a Bull, and riding down some Popish priests. Francis, now dead a century ago, if he ever existed, is stated as the astrologer who casts nativities for the one; while the predictions of another own for their soothsayer the famous Partridge, whom Dean Swift endeavoured to prove dead, we believe, during the lifetime of that '*egre-* '*gious wizard.*' Prophecies are rife in these pages, from the weather, up to the fortunes of princes, and fate of empires. There is hardly a farm-house but harbours some portion of such trash; and it has been well observed, that the highly

respectable and opulent Company of Stationers would do well, as they are owners of the whole works, to reform the most indecorous parts, and gradually to lead the taste of the 1,800,000 persons who purchase them, into a better channel, by providing good new publications, if, which is very possible, the absurdities and varieties of the old ones cannot at once be dispensed with.

The Society has undertaken this task, humble, but highly useful; and although they did not begin till the end of November, when the year's almanacs were all printed, theirs has been published on the first day of this year, and is most ably and unexceptionably done. There are many great improvements in it; as the tables for finding the light and dark hours in every month of the year; the admirable collection of sayings and useful suggestions; and the valuable information upon many important branches of employment. It is also much larger than the old almanacs, containing about double the quantity of matter for the same price, and the type, though small, is admirable. A companion to it is announced as in forwardness, which, the Report says, will contain much useful matter.

The extraordinary effects likely to follow from the great improvement introduced by the Society, of applying the division of labour to literary undertakings, in a systematic manner, and on an ample scale, fill the mind with the most pleasing ideas of the future progress of the human race. Men have, on former occasions, combined to carry on scientific publications, to conduct experimental researches, and even to finish literary undertakings. The proceedings of learned societies furnish instances of such unions in most countries; and in France, the principle of union has been carried further than anywhere else, especially in the management of original investigation. The various Encyclopœdias, especially the celebrated ones of France, are also examples of united operations for accomplishing a literary object. But there is a very wide difference between these proceedings and the ones we are considering. An academy brings together men of letters,—their mutual discussions strike out new lights and correct errors,—they encourage, perhaps aid, one another in their speculations,—and the meetings of the body are occupied in reading their individual contributions, and giving a part of them to the world. But the instances are very few—nearly confined to a few years of the first chemical studies of the French Academy, and to one or two rare occurrences of committees appointed by our Royal Society,—in which the body, as a body, actually promoted investigations, superintend-

ed their progress, and called various talents and acquirements into work, for the successful conduct of these researches. The very essence, however, of the Useful Knowledge Society's plan is the working in concert—the co-operation of learned men on a large scale. Their numerous members meet regularly—form themselves into committees—observe the wants of the community—appoint inquiries to be made—take the requisite measures for procuring any supply of works that may be wanted—and, by means of an extended correspondence, bring into the service of the world talents and learning, which, but for their efforts, would lie useless. The number of able men, in every line, connected with the Society, and the Committee itself contains not a few, gives them the means of extending, in every direction, their publications of original works, or of compilations, or of new editions, as the occasion may from time to time require. No sooner is any defect known, than steps are taken to supply it; and though hitherto their funds have prevented large sums from being paid for literary labour, the extraordinary success of their first publication, the *Library of Useful Knowledge*, must place at their disposal the means of requiting able and learned men, to a degree, if not fully adequate to their merits, yet far indeed above the most liberal scale of remuneration hitherto known. The emancipation of learning and genius from a degrading servitude to the children of trade, is a noble design, and fraught with the most lasting good to mankind. The names of the Committee afford abundant security, that towards this sacred object, all its profits, be they ever so ample, will be directed.

The production of the British Almanac is a creditable proof of the vigour and promptitude which preside over the Committee's measures. They assembled in an extraordinary sitting, within a day after the state of the year's almanacs had been made known to them. *In an hour*, the preparation of the new almanac was in the hands of different Committees—and *in a month*, thousands of it were in the shops!

Although many works are best carried on in concert, it is not so with all. The main object of the Society, the *diffusion* of knowledge, is well brought about by combined operations; and accordingly, some Treatises are the work of several, as the passage cited above shows, to the extent even of one person furnishing the matter, and another the whole writing. But whenever a man of genius is occupied with disclosing his own original views, or a great teacher with opening the sources of instruction to the world, the ground is holy, and must be left to its ap-

pointed occupant. The Society is understood to patronise many undertakings of this description, which require little more than examination and revision.

In contemplating the views, which unfold themselves, of the advantages likely to result from these labours, both as regards learned men and science, and the improvement of the community, we must not omit the recommendation contained in the Report, that Auxiliary Committees should be everywhere formed. This is in some measure begun; but it has not been apparently pushed to its full extent; and nothing certainly would more tend, both to aid the Society's operations, and to call able men into activity, as well as to promote the circulation of good works. The Society have published pattern sets of rules, to be varied according to circumstances, for the formation of both Branch Committees and Reading Clubs. There is no town, and not many villages, that ought to be without them. The learned and pious Bishop of Winchester lately did himself immortal honour, by circulating Queries in his former diocese, (of Llandaff,) in one of which each parson was asked if he had an infant school in his parish, and if not, *why* not? The system of Infant Education was, not many years ago, in ill favour with the intolerant party, and a prelate could hardly have been found bold enough to stand forth its patron. We may live to see the day, when as high authority shall ask each parson, having the care of souls, whether the means are provided in his district for affording the knowledge, 'which, that the soul be without, it is not good.' Of a truth, Church as well as State will benefit by this universal diffusion, else it might be as good we were without both. Nothing, assuredly, but error and abuse, can dread the light; and happily our establishments need not shrink from it, much as they might profit by needful revision and correction, principally for the purpose of adapting them to the changes of the times.

There has lately been a very important announcement in London, of a literary design, which we ought not to close this article without mentioning. It is a weekly Journal of the Sciences and Letters, for the purpose of diffusing information, and promoting discussion upon the novelties arising, from day to day, in all departments of learning—whether the proceedings of learned bodies, abroad or at home, or the works of the learned that issue from the press. Germany has long had weekly and even daily reviews of books; and when it is considered, that in England these things have come to pass, which, twenty years ago, we should have said could never happen but among

our plodding kinsfolk of Saxony—that working men pass their evenings at lectures and not ale-houses—that journals are printed by the thousand for their use alone—that tradesmen pursue letters as a vocation, joined with their peculiar craft, insomuch, that the most abstruse metaphysical researches have for years been carried on by a working-silversmith*—it may well be wondered at that we have no really able and scientific newspapers. The success of some late literary journals only proves the demand for such matter, not, we fear, the capacity of their conductors adequately and worthily to supply it; the scissars being in truth the mechanical power mainly brought into play by those humble, though very useful, personages. Mr Buckingham's *Athenæum* is of a much superior cast; and, it may be hoped, will meet all the success the great merits and undeserved persecutions of its excellent conductor are well entitled to look for at the hands of Englishmen. But the *Verulam* professes a higher aim, and indeed a wider scope, being devoted to science as well as learning, with the aid of finished engravings, and purporting to give some pages of common news, for the convenience of country readers. If its execution be at all commensurate to the usefulness of its plan, no undertaking can be more meritorious. Indeed, its publication may form an era in the history of knowledge; and, instead of sinking science to the level of newspaper discussion, may, among other valuable consequences, have the effect of raising the standard of this species of publication.

ART. VII.—*An Appeal to England against the new Indian Stamp Act, with some Observations on the Condition of British Subjects in Calcutta, under the Government of the East India Company.* London. Ridgway, pp. 140. 1828.

THE subject discussed in this able and acute pamphlet, relates to a pretension of the East India Company, the assertion of which, on the part of that body, within a few years of the expiration of their charter, appears to us an act of singular imprudence. This pretension is no less than the assumption of

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* We allude to Mr T. Urrgman's writings on the philosophy of Kant, composed while he went about with silver-plate and scissars to his customers.

an unlimited right to tax, without the intervention of Parliament, all the King's natural born subjects who may come within its territory, in the same arbitrary, and, we may add, impolitic manner, in which it taxes the natives. This novel pretension—for such it is,—makes its first appearance in the inauspicious shape of a 'Stamp Act.'

After deluding us for seventy long years with promises of surplus revenue,—after failing in its positive engagements for such surplus, to the extent, in twenty years, of 9½ millions sterling, besides interest,—after receiving pecuniary relief from the nation nineteen times* within the last fifty years,—after carrying on an uniformly losing trade, and most absurdly boasting of it as a benefit conferred on the nation; and, finally, after having involved itself, or, much more correctly speaking, the people of England, in a debt now little short of seventy millions sterling,†—the East India Company at last proposes to replenish its exhausted coffers, and to sustain its broken credit, by usurping the rights of parliament in taxing their countrymen,—in taxing their commercial rivals,—in taxing men whom they long denounced as 'mischievous interlopers,'—men whom they had loaded with every disability which their influence could impose, and whose wealth and prosperity, crippled as they were by these injurious restraints, have been established in despite of the Company, and in defiance of the ungenerous and narrow-minded maxims of its government.

The history which we are about to give of this singular experiment, will not only show, we think, that it involves an arbitrary and unconstitutional assumption of the rights of parliament, but go far to prove that a fundamental reform is necessary in any government which could deliberately venture on it. The fact, however, is, that in the month of December 1826, the inhabitants of Calcutta were astonished by the sudden and unlooked-for promulgation, in the Gazette of Authority, of an edict, imposing a heavy and almost indiscriminate stamp-duty! The time chosen for this imposition was almost as startling as the substance of it.

The most expensive war ever conducted by the East India Company, after drawing many millions from the commercial

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* This is the actual number of statutes passed by the legislature for the relief of these sturdy paupers.

† We shall, perhaps, take an early opportunity of proving to our readers, that the amount here stated, enormous as it may appear, is by no means an exaggerated one.

capital of the country, had just terminated: Commercial distress had never attained so great a height in India; and a wretched state of the law between debtor and creditor, unknown to any other portion of our dominions, and giving, in its consequences, especial umbrage to the native inhabitants, had shaken European credit from one extremity of the peninsula to the other. Such was the moment selected for inflicting a new tax, complex in its provisions, vexatious in its operation, heavy as regarded the subject, and unproductive as regarded the government.

The following epitome of the history of stamp-duties in India, points out, in a striking way, the impolicy of their recent extension to British-born subjects.

Stamps were first introduced in that country, for a special purpose, about thirty years ago, under the administration of the present Lord Teignmouth; and but four short years after Lord Cornwallis had made the perpetual settlement of the land revenue, and proclaimed that he had emancipated the Hindus from all other taxes. Any other, indeed, must always have been peculiarly distressing to that simple race, and accordingly had never been ventured on by any of the native governments. The immediate object of the experiment, too, was one which has deservedly brought the greatest odium on the government of the Company. The courts of law recently instituted by Lord Cornwallis, had already proved wholly inadequate to the administration of justice. In four years there was a prodigious arrear of causes. The number of the courts was not increased; their complex forms were not simplified; but the Company undertook to remedy the consequent discontent by a more simple and profitable plan. They announced that the people of these regions were by nature litigious, and they imposed Stamp duties on all Law proceedings, the more completely to obstruct that justice which was already too difficult of attainment.

No attempt at imposing general Stamp-duties was made until the year 1824, just as we had commenced the Burman war. Our twenty-two millions of yearly revenue were not then thought sufficient, and the boasted surplus had for some time ceased to be spoken of. The public functionaries, accordingly, set their wits to work to raise 'ways and means;' and a Stamp regulation, the exact counterpart of that recently promulgated for Calcutta, was imposed on the Provinces. The fate of this law affords a curious view of the inward structure of Asiatic society. At the end of two years, it was found completely inoperative. The native merchants and bankers quietly, but obstinately, refused to purchase stamps, and carried on their transactions without them; while the government durst not enforce

their own rash regulation. This was mortifying enough to so great and infallible a power; but it could not be helped. It was not the first time that the natives had resisted the arbitrary and impolitic attempts of our government to impose novel taxes. In 1810 the government attempted to levy a House Tax in the wealthy and crowded city of Benares. But the natives immediately suspended all business, *quitted their houses*, and betook themselves to the fields, where, they declared, they would continue until the tax was abrogated. A similar attempt among the warlike population of Rohilcund, in 1816, occasioned a formidable insurrection of nearly the whole province, and the loss of many lives. In these cases the government had the prudence to revoke its injudicious edicts. This impatience of novel modes of taxation with the Hindus, can scarcely be considered as a very extraordinary phenomenon in a country, where the treasury already absorbs so enormous a proportion of the produce of land, labour, and profits.

The Honourable Company now took up an opinion, that the experiment of coercion might be tried with more safety among the better disciplined inhabitants of Calcutta, and that the example of submission in the British merchants of the capital would not fail to have a wholesome influence on the refractory inhabitants of the provinces. They declared, therefore, that Calcutta enjoyed 'an unjust exemption,' and they resolved to deprive it of this immunity. They fancied there were grounds for the exercise of such an authority, in two dubious and obsolete sections of an Act of Parliament, and they proceeded to make the experiment.

The inhabitants of Calcutta could not be legally taxed in any form by the local government, without the consent of the Indian authorities in England; and the Stamp regulation was therefore sent home for their approval. A secretary to the government, returning to England, undertook to be its dry nurse; and having passed it through the necessary forms, brought it out in due course, when it was promulgated as already mentioned. All this was effected with a secrecy worthy of the Inquisition, so that the tax-payers had not the slightest hint of what was meditated against them, until the blow was struck.

The measure produced, as might have been foreseen, the most serious alarm among the English inhabitants, and aggravated the commercial distress, already sufficiently great. The native merchants and bankers held meetings, and were on the point of taking steps to defeat the tax, in their way, by shutting up their shops and offices, and quitting the town until the duty was rescinded. They were persuaded, however, by the Europeans, to

renounce this mischievous scheme, which must have produced great inconvenience not only to the government, but to the whole commercial interests of India, and induced to join in a respectful petition to the government for the abolition of the tax. Such a petition was accordingly presented, signed by the principal inhabitants of Calcutta, praying for the abolition of the tax, on the score of its illegality, and the inconvenience and actual distress which would follow its enforcement. They informed the government that the native bankers contemplated abandoning their occupation, which they could not pursue without ruin, under the provisions of this new edict. They insisted upon its obvious impolicy in such a state of society as that of India: they avowed, that should the regulation be carried into effect, all commercial dealings would be impeded to a degree affecting public credit, and that money transactions would be wholly suspended. And they, finally, declared their persuasion, that no measure of the government had ever excited such general alarm and dissatisfaction.

The government, safe in the European colony of Calcutta from the danger of insurrection, which in the provincial cities would have brought it immediately to its senses, turned a deaf ear to these remonstrances; and in a long and laboured answer to the petitioners, endeavoured to reply to their arguments. It is always dangerous for a despotic government to give reasons for its proceedings; and on this occasion so many inconsistencies and extravagancies were hazarded, as brought on the government a large share of ridicule, and some indignation. The answerer openly maintained that the inhabitants of Calcutta ought to be put on a perfect equality with those of the provinces; meaning, not that the privileges of the former should be extended to the latter, but that the latter, although governed by English laws, and entitled to British rights for 150 years, should be disfranchised, and reduced to the condition of the conquered inhabitants of the interior; or, in other words, should be subjected to arbitrary and unlimited taxation for the benefit of the East India Company, whenever the Directors of that corporation should see meet, and be able to persuade the President of the India Board to sanction the attempt. He admitted that the power on which the local government had acted, had been allowed to sleep for thirteen years; but this he ascribed to 'fiscal 'prosperity' and 'fiscal *moderation*.' Thus virtually acknowledging, that the prosperity was no more, and that the day of moderation was gone by. But although the government allowed that the Act of Parliament had lain dormant for thirteen

years, as far as related to Calcutta, they insisted that it had been acted upon at the other presidencies, particularly at Bombay, and alleged instances were, indiscreetly, quoted. It unfortunately turned out, however, that these were taxes imposed for purposes purely municipal, and *before* the date of the statute which was referred to, and confessedly illegal, as without the sanction of any statute whatever.

But the argument on which the local government mainly relied, was, that the inhabitants of Calcutta contributed little or nothing towards the public revenue. It could not indeed be denied, that they did pay Customs to the amount of between two and three hundred thousand pounds sterling. But the Stamp advocate makes nothing of this; and illuminates the ignorance of his mercantile fellow subjects by informing them, that 'Customs, though paid in the first instance by the general merchant, 'fall ultimately on the *consumers*;' and sagely follows this up by adding, that 'the banker, the money lender, and the capi-'talist of Calcutta contribute *nothing* in return for the 'inesti-'mable benefits' of the East India Company's government!— From which we are left, of course, to infer, that the three hundred thousand inhabitants of Calcutta were *not consumers* at all; and that the capital and enterprise of her merchants contributed in no respect to create and maintain the trade which afforded this large revenue to the Customs.

These absurdities it was no difficult matter to refute and expose; and even the shackled press of Calcutta stepped in to enlighten government, until its voice was silenced by the suppression of one of the ablest of the journals. In that ardour of argument, which is so apt to bias the judgment and impair the memory of a disputant, it escaped the organ of the government, that the true state of things was the very reverse of what he imagined, and that the inhabitants of Calcutta in reality contributed to the public revenue in a far larger degree than the poor, ill-governed, and therefore incapable inhabitants of the provinces. According to Mr Tucker, now a Director of the East India Company, the natives of India pay overhead about 5s. each in taxes; only about a twelfth part indeed of what is paid by those of Great Britain, but yet, according to Mr Tucker, a heavier assessment, in reference to their condition, than that which is levied at home. Now it is easy to show that the inhabitants of Calcutta pay very far indeed above this average. For their municipal administration, they pay a tax of five per cent on the rents of all houses, a tax which has no existence in the provinces. They pay an excise on spirits and drugs; they pay

town duties; they pay from seven to eight hundred per cent duty on every grain of salt they use; they pay customs on every article of foreign consumption, seldom amounting to less than 10, and often to as much as 20 per cent. But all this is little in comparison to what they do indirectly, for the support of that government, which, as we shall show in the sequel, does so little to support them. Their capital, enterprise, and intelligence, afford the means by which the monopoly of Salt brings the government yearly, a revenue little short of a million and half sterling. The Opium revenue, which in some years has amounted to considerably more than another million, is still more indebted to the same causes. In a single year they have advanced to government, on account of opium, upwards of one million seven hundred thousand pounds sterling. Their shipping conveys the drug to its distant places of consumption, and their skill and enterprise alone find a market for it. In a word, without the merchants of Calcutta, neither the trade in this article, nor the revenue derived from it, could have an existence. In like manner, it is their capital and enterprise alone which have created, maintain, and carry on the whole Indigo trade of the country. In a single year their capital has been invested in this commodity to the extent of L.2,000,000, taking only its Indian valuation, or at least half a million more, taking its value in Europe. The only advantage which the manufacturer of indigo ever has derived from the Company in return, is, that they have kindly forborne to meddle with it. For this reason, above all others, it has flourished, while the peculiar objects of their patronage continue comparatively insignificant. The adventurous skill of the 'interlopers' first created it, and has brought it to such greatness and perfection, as to have now nearly superseded the produce of every other part of the world. The foreign trade in Cotton owes its very existence to the European merchant. Of this commodity they have exported to China and Europe, in a single year, to the Indian value of above a million and half sterling. Many other articles of commerce they have either brought into existence, or greatly increased in amount and quality.

It is needless to insist to what an extent the country and the revenue have been benefited by these means. No sooner is the indigo culture, for example, introduced into a district, than the land revenue, heretofore ill paid, or extorted by military force, is punctually and readily discharged; and where it is not limited by law, greatly increased in amount—tranquillity is established, and commerce stimulated.

But it may be worth while to go a little more into detail, re-

specting the direct contributions paid by the inhabitants of Calcutta, as already enumerated. In consequence of the Salt monopoly, they pay at least L.21,562 beyond the natural price of the commodity, being their share of the whole produce, on the very moderate supposition that each inhabitant of Calcutta consumes only three times as much as the simple native of the provinces.

The government raises, in the way of Lottery, the sum of L.20,000 a-year. The largest share of this is necessarily paid by the wealthiest part of the community, and those on the spot, that is, by the people of Calcutta. We shall take their share, however, only at one half, or L.10,000.

The government derives an impolitic revenue from the Moorings in the river Hoogly, which amounts to a yearly sum of L.16,000. The average between the whole export and import shipping of Calcutta last year was 154,029 tons, of which 38,740 tons belonged to Calcutta. Without reckoning that the latter, as must necessarily be the case, lie oftener at the moorings than other shipping in general, we shall reckon only their arithmetical proportion, which is L.3504. As their share of the duties upon foreign imports, we cannot reckon that the inhabitants of Calcutta pay less to the East India Company than L.32,000. The total amount of the Customs is about L.1,254,000, and, holding that the capital only consumes five times as much of the imports as an equal population in the country, the result will be as above stated. In reality, we believe it to be twice as much. The town duties of Calcutta amount to somewhat more than L.25,000 per annum. This injudicious and oppressive duty is levied on necessaries of life, or such articles as are deemed so by the native inhabitants, as grain of all kinds, pulses, oil, butter, turmeric, charcoal, tobacco, and betel-nut. Grain pays an impost of two and a half per cent. Butter and tobacco ten per cent, and all the rest five per cent. Several of them pay custom-house duties besides.

Every Dwelling-house in Calcutta pays an assessment on its rent of five per cent, and every shop a tax of ten per cent. The amount of this tax, which is also entirely managed by the government, and made an object of patronage with it, may be taken at the low average of L.18,000.

The tax on spirits and intoxicating drugs brings yearly about L.26,000.

The tolls collected by government on the canals leading to Calcutta yield a net profit of L.7197 after paying all charges This is, of course, nothing more or less than a transit tax.

The Port charges of Calcutta are a real burden on its trade. They are wholly managed or mismanaged by the government. We reckon this in round numbers to be a source of taxation to the extent of L.17,000 on the following grounds: Pilotage, port charges, fees, *and presents*, amount, according to a careful estimate which we have made, to about 7s. 8d. per ton on every ship that frequents the port, exclusive of mooring charges. Supposing the shipping belonging to the port of Calcutta to make no more than two voyages a-year outwards and inwards, these charges will be L.26,000 nearly. Three-fourths of this at the least are unnecessarily expended, and constitute, therefore, a tax of the worst description. Upon the whole shipping which entered and cleared from Calcutta last year, amounting to 308,058 tons, the charges were, exclusive of moorings, L.118,088. If a ship should be at the Honourable Company's moorings for six months, we find, by calculation, that her charges per ton would amount to near 8s. 7d.; and such a vessel would have to pay in all, before she got rid of the good port of Calcutta, 14s. 8d. per ton, which is something more than a charge of nine per cent on the present freights out and home between India and Great Britain. Now, is this, or is it not, a flagrant evasion of 25th Section of 53d of George III. chap. 54, which provides that no duty or tax shall be levied without the consent of the home authorities; and above all, of the promise held out by the legislature, to keep the duties on the trade between India and Great Britain at an equitable and moderate standard? Is it for a moment to be imagined, that, were the port of Calcutta, as it should be, taken out of the prodigal management of the Company, and consigned to that of the merchants, such enormous burdens on trade would exist? The interests of the inhabitants, and the competition of one Indian port with another, would soon reduce them to a fair amount. But the Company can have no competitors. Every port in India is under their management, and it is their interest to keep up, and not to reduce, their charges.

The whole taxes, then, paid by the inhabitants of Calcutta, direct or indirect, municipal or general, under the management of the Company, and subservient to its power and patronage, amount to the yearly sum of L.161,300. The taxation of the provinces throughout all India is at the rate of 5s. a-head; but, on examination, we find that the inhabitants of the Madras and Bombay territories are a great deal more highly assessed than those of Bengal, and that the latter pay in fact only 3s. 10¾d. a-head. But the inhabitants of Calcutta, according to our estimate,

pay about 10s. 9d.; or, as far as we can recollect, within a trifle of what is paid by the population of Ireland. Now, as no one will say the Irish are taxed at too low a rate; and as a great majority of the inhabitants of Calcutta, or of any Indian city, are, whatever may be the poverty of the Irish, still poorer, it necessarily follows, that the people of Calcutta generally pay rather too much already, than too little, and therefore have no particular need for fresh taxation. It results from this statement, that the people of Calcutta, who, we are informed by 'high authority,' contribute nothing at all, or 'next to nothing,' to the support of that government from whose protection they derive such mighty advantages, do, notwithstanding, in reality contribute 122 per cent more than those who, we are informed from the same source, are unfairly charged with the whole.

Such are the motives and extraordinary assumptions of fact on which this local tax has been justified. But the most extraordinary part of its defence perhaps relates to the form in which it has been enforced. The whole phalanx of European political economists had denounced Stamp duties as impolitic and unjust. Mr Pitt openly avowed their impolicy, and said he continued them only from necessity. The present administration swept off the greater number of them at home, at the very moment that a new law imposing them was receiving the approbation of the East India Company. Our Indian statesmen have no respect, however, for Adam Smith, (an ancient enemy,) nor for Ricardo—nor for Macculloch. Mr Pitt's opinion goes with them, for the first time, for nought on an Indian question—Lord Goderich's example is utterly discarded, and the inhabitants of Calcutta astounded by the following sage annunciation: 'A 'stamp-duty seems among the least exceptionable of the taxes 'to which a government can have recourse. It is a tax, which, 'as it falls chiefly on the wealthy, will, of course, give discon-'tent to them. But this government would but ill perform its 'duty, if, seeking the favour of the opulent classes, it consented 'to exonerate them, and confined its taxation to the poor.'

A government, that officially puts forth such theoretical absurdities, in vindication of its arbitrary measures, can, in our opinion, scarcely be called respectable. It lays down a palpable blunder, as a maxim in Political Science, and, arguing upon its own mistake, complacently proceeds to take credit for impartial legislation, and tenderness for the interests of the lower orders. This last pretension, we must say, comes with but an ill grace from a power, that seizes half the net produce of the soil, and calls it a land tax—that derives a large portion of its revenue

from monopolies of the necessaries of life, and whose boast it has been, that it has always taken, or desired to take, more from the body of the people, than was necessary for their good government.

One observation, made in the letter of the Indian Secretary, more extravagant than all the rest, remains yet to be noticed. 'If additional revenue,' says he, 'is necessary, *that* is a point 'which must be taken on the credit of government.'

We will venture to assert, that since the days of the Norman Conquest, language more presumptuous and revolting has never been addressed, by Englishmen in authority, to men of their own country. Such of our readers as are not familiar with the habits of Indian Statesmen, will probably peruse them with wonder. But, in truth, there is no limit to the follies, which a corporation spirit, combined with the habitual contemplation and exercise of despotic power, is capable of producing.

The petitioners, however, were neither satisfied with the reasoning, nor overawed by the dignity, of the government; and addressed a second letter, respectfully soliciting that the ordinance might at least be *suspended*, as it was the intention of the inhabitants to petition Parliament for a declaratory act, or, if necessary, a new enactment, respecting the alleged power claimed by the Company. The reply was brief and peremptory. The government refused to suspend its edict; and desired that all future communications on the subject should be made, through the collector of Stamp-duties! In reference to the intimation of a petition to Parliament, the government was graciously pleased to observe, that it had 'no objection,' in this instance, 'to the 'inhabitants petitioning *the Parliament of England*;' an expression, from which we may infer, that their High Mightinesses considered that they constituted a second King and Parliament themselves, and that there were cases in which they might suspend the British Constitution, by refusing the right of petitioning!

The inhabitants now applied to the Sheriff of Calcutta, requesting that a meeting might be called, for the purpose of petitioning Parliament. The requisition was acceded to, and the meeting called. But the Sheriff was a civil servant of the government, and the place appointed for the meeting was claimed as the property of the Company. The government accordingly took the alarm, and severely reprimanded their servant, who was in consequence compelled to disallow the meeting. The pretext for this was equally feeble and ridiculous. In rummaging over their records, the government discovered a letter

of the East-India Directors, dated twenty years back, in which the Directors ordered, 'under the pain of their high displeasure,' that no public assemblage of their own servants, or of the merchants, traders, or other inhabitants whatsoever, should be held, 'unless the subject to be discussed should be agreeable to the 'ruling authorities,'—unless, in short, it was to be an eulogy on themselves, or on some of their functionaries; for in all such cases, public meetings were not only allowed, but eagerly encouraged and canvassed for.

This prohibition was, in its origin, obviously illegal and presumptuous; but its revival, on this last occasion, was still more imprudent. The government should have recollected, that the extravagant language, which might be used with impunity, under terror of French aggression, and in the darkness of the close monopoly in 1807, was no longer safe or decorous in 1827, and could not be endured, either by the Indian or the British public. In Calcutta, British law alone had any authority. The High Sheriff was an officer of the Crown, amenable only to the King's Courts. The sovereignty of the whole territory was, by the express enactment of a statute,* vested in the Crown. No statute existed limiting or restricting the right of meeting to petition—there was not even any local regulation, with the necessary sanctions, for such purpose. Finally, the 'high displeasure' of the East-India Company, however terrible to those who depend upon them for their daily bread, *is not* '*law*'—and is good for nothing, in respect to those who have nothing to apprehend from them.

It is instructive to remark, that the right of meeting and petitioning Parliament had, in times not very remote,—in times of real danger, and on subjects of far greater delicacy than an appeal against a tax,—been exercised by the inhabitants of Calcutta, with the full concurrence of the government—nay, in reality, at its instigation, and for its behoof. In the year 1779, such a meeting petitioned the Commons, against certain alleged usurpations of the King's Courts of Justice, established a few years before. The court and the government were then at variance.† The imprudence of the judges gave the go-

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* 53d of Geo. III. sec. 155.

† Mr Hastings soon afterwards found out a shorter way of neutralising the hostility of the judges, and curtailing their powers, than an appeal to Parliament. He promoted the majority of them to better appointments. One he made first judge of the principal native court, and another judge in certain captured settlements.

vernment a temporary advantage over them, of which Mr Hastings availed himself with his usual dexterity. The petition of the inhabitants was a part of his contrivance for this purpose; and it is specially to be observed, that at this time there were few independent settlers—what was called the community of Calcutta, consisting for the most part of the civil and military servants of the Company, and many of these the creatures of the Governor-General. The language of the petition, drawn up on the occasion, is vehement and clamorous.* The petitioners complain, that they had been calumniated to Parliament. They state, that there are certain rights inherent in Englishmen, of which 'no power on earth' can legally deprive them—they claim trial by Jury, in civil cases, (of which the judges had deprived them,) as their birth-right—they insinuate, that the King's letters patent, establishing the court, were contrary to the 'known law of the land.' They intimate, that the judges possessed neither the requisite temper, ability, nor integrity. Above all, the petitioners complain, that *the authority of the government was weakened* by the encroachments of the court; and they pray that the powers of the latter may be restricted. There is one prayer, which, had it been granted, Calcutta would at this day have been, instead of the greatest commercial city which the East ever saw, a petty town, without trade or industry—the mere seat of a corporation of monopolists. The petitioners had the folly to solicit, that the ancient, and, as they are pleased to term it, 'constitutional' power of hearing appeals, in the first instance, should be restored to the local government.† This would have been to destroy at once the independence and usefulness of the King's Court—to place the persons and pro-

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* The following is a specimen. 'Your petitioners can bear distress like men; but they must also feel like men, and speak these feelings like Englishmen. If the language of complaint is warm, let it be attributed to the dread of future injuries, from a keen sensibility of what is past.' The language certainly was lofty enough; but it emanated from a very contaminated source. The petitioners have the tone of so many Hampdens, while, in reality, they are praying for the extension of arbitrary power, and petitioning for the restoration of exploded nuisances.

† In the Mayor's Court, which preceded the Supreme Court, the judges were nominated by the East-India Company, and appeals lay from their jurisdiction to the President in council, that is, to the local government. It may well be believed, that a court so constituted, was unexceptionable in the eyes of the Company and their servants.

perties of the free inhabitants at the mercy of the executive—and that executive, the East-India Company, the commercial rivals of the community.

In 1786 the inhabitants of Calcutta met again; and petitioned the King, Lords, and Commons, against no less a measure than Mr Pitt's celebrated India bill. The servants of the Company were, on this occasion also, the majority of the petitioners. That the measure had the sanction of the government, appears obvious enough, when we see as subscribers the names of councillors, secretaries, future governors, and other successful aspirants for high office. Mr Pitt's bill created a tribunal in England for the trial of Indian delinquency. It provided, that the servants of the Company might be recalled at the pleasure of the Crown. It provided, that the official correspondence of the Company's servants in India with the Directors, might be received as evidence by the commissioners of the new tribunal. The most offensive provision of the bill, however, was that which compelled the servants of the Company, upon their return to Great Britain, to give in an inventory, upon oath, of their fortunes. The meeting passed strong resolutions against all these enactments, and touched upon nothing else; from which it will be seen, that the petition, although called the petition of 'the inhabitants of Calcutta,' related solely to the personal interests of the Company's own servants. It may be worth notice, also, that a Company's civil servant was at the moment Governor-General; a servant, too, who had been once charged by his employers with corruption, and never acquitted. In resolutions, which touched solely upon their own special interests, the petitioners invoked the constitution as loudly and patriotically as if the whole fabric of that constitution were at stake. The following is a specimen of the language they employed. The erection of 'a tribunal, unrestrained by the set-'tled rules of law, and subject to no appeal, and the depriving 'them of their undoubted birth-right, the trial by jury, are vio-'lations of *the great charter of our liberties*, and infringements of 'the most sacred principles of the British constitution.' The fact was, that the alliance with the ministry, created through the agency of the Board of Control, had not yet begun to work well for the Company. There had even been some bickering between the Board and the Directors; and the servants of the Company were simple enough to fear, that the provisions of the statute would be put in force against them. It proved, however, to be a vain fear. The Ministry soon abrogated the most offensive provision of the bill, which Mr Mill uncourteously calls the only wholesome one it contained, and the dreaded tri-

bunal has been utterly inoperative! More than forty years have since elapsed, and neither the Directors nor their servants have ever thought of invoking the constitution; on the contrary, they have found the forms of the constitution a little inconvenient to them; and it is from the time in question that we have to date the greater number of those flagrant encroachments on the rights and privileges of Englishmen, which they have either enacted themselves, or persuaded the legislature to sanction—Such as the prohibition to purchase lands—the prohibition to trade, without leave of the Company, in the interior—arbitrary expulsion from the territory, with or without cause assigned—destruction of the liberty of the press—prohibition to trade in the staple articles of the interior, &c. &c.

We have referred to these facts, to show, that when their own interests and passions are concerned, the Company and its servants are ready enough, not only to allow the freest discussions, and to address the legislature in the strongest language, but to promote, instigate, and participate in public meetings having these selfish objects in view. Their new-sprung dread of free discussion, therefore, the reader will readily perceive, is but an indication of their wish to hide their acts from publicity; and its object, to maintain unimpaired their pernicious patronage and mischievous privileges.* In the document to which we have just referred, a freedom of language is indulged in, which, were it now employed by any person, or set of persons, residing in India, on a question not promoting the peculiar views and interests of the Company, would at once be pronounced indecent and intolerable. Editors of newspapers have, in part, been recently banished from India, and their prospects ruined, for far less excesses.

The inhabitants of Calcutta, thus precluded from meeting in their corporate capacity, under the sanction of the sheriff, determined to meet as individuals, for the purpose of taking into consideration the propriety of petitioning Parliament against the stamp-act, as well as for soliciting certain improvements in the state of the laws immediately affecting their properties, and which, although long calling loudly for redress, a government which has no common interests with its subjects had hitherto

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* To use the language of one of their own ordinances, free discussion 'tends to bring them into hatred and contempt.' A statement, the prudence of which is unfortunately more questionable than its truth.

neglected for more than half a century. They publicly advertised their intention in the newspapers; and a meeting was accordingly held at the Exchange Rooms, which, by some accident, are not the property of government, on the 22d of May last, embracing all the wealth and respectability of Calcutta, native and European, unconnected with the public service. It would be difficult, indeed, to quote a single example to the contrary. The merchants, agents, and gentlemen of the law, of whatever political party, joined heartily in the common cause, and took a leading part in discussions which were distinguished alike by talent, temperance, and public spirit. If we consider that this assemblage took place in the very focus of despotism and overwhelming influence, it must be viewed as a highly interesting and imposing spectacle. It was indeed, we believe, the first assembly ever held in India, actuated by a pure love of public principle and independence, and expressing a determination to maintain the privileges of freemen. The speeches made, and the resolutions passed by this meeting, were as remarkable for their moderation as their ability. Not a syllable escaped the speakers that could admit of a sinister construction by the most subtle or malignant advocate of power.*

Petitions were unanimously voted, for both Houses of Parliament, couched in language not less temperate than the speeches and resolutions. That respecting the stamp-regulation is at once logical, convincing, and able, and does, in our opinion, great credit to the talent and good sense of the Calcutta public.†

One circumstance deserving notice distinguished the petitions to Parliament relating to the stamp-tax, from that addressed to the local government on the same subject. The first had been numerously signed by persons, both in the civil and military services of the Company, for these participated in the general sentiment of the community, respecting the impolicy of the law, and the hope that it would be rescinded. Before the petition to

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* So guarded was the conduct of the meeting, that the only hard words by which the Gazette of government could venture to describe the petitioners, was, 'those who have set themselves up in opposition 'to the wishes of government!'

† For temperance and moderation, we recommend to the curious reader to contrast their petitions with those addressed to the legislature in 1779 and 1786. The last will be found in the volumes of the Annual Register.

Parliament was drawn up, the hostility of the government had been ascertained, and, of course, not a civil or military servant dared peril his place or prospects by affixing his name to it. Such is the character of a government, styling itself a British one, and which now and then presumes to hint, that its power is sustained by public opinion, and by the affections of its subjects!

The proposed meeting at the Exchange Rooms excited, as may well be surmised, the highest displeasure of the local government; and it had resolved to proceed to the most violent extremities to prevent it. Accordingly, it directed an order to the stipendiary magistrates to prevent or disperse it. Among these magistrates, however, there is always a professional lawyer, who, in all probability, suggested to his less instructed colleagues, that the contemplated application of force might not be strictly legal. The opinion of the highest law-officers was taken on the subject, and the government was mortified and surprised to learn from them that the measure was grossly illegal, and would subject every individual, directly or indirectly concerned, except those screened from immediate responsibility by statute, to an action of trespass and heavy damages in the King's Court!

The Stamp regulation promulgated in December, was to take effect on the 1st of May following; and the government were not slow in organizing the machinery of taxation. This consisted of a superintendent and a collector, with splendid salaries: sixteen principal assistants to authenticate stamps, with corresponding allowances—whole shoals of native distributors, and a fleet of boats, painted and portentously labelled, to distribute its Pandora gifts to the provinces, where it was now determined that stamps should be strictly enforced. But the high authorities were destined to receive another mortification. In their reply to the petition of the inhabitants, they had volunteered a boast that they possessed the legal means of enforcing the penalties enacted in their regulation. The better opinion was, however, that they had no such power. An impression was general with the public, that the penalties could not be levied. No one, accordingly, bought stamps! the government durst not hazard a prosecution; and the regulation became a dead letter, and continued so for nearly two months, to the dismay and chagrin of its advisers.

By the 13 Geo. III. c. 65, it is enacted, that no regulation of the Governor-General, for the town of Calcutta, shall be valid, unless registered under specified forms in the King's Court, and

approved by the same authority.* The government had hoped, that, as the regulation was approved by their masters in England, as provided by one statute, they might dispense with another statute intended only for the protection of those that were taxed. They were undeceived when no revenue came in, and finally reduced to the humiliation of applying for the hated registry.

It should be noticed here, that the local government has ever been impatient of the restraint put upon its arbitrary power by the King's Court. It never applies, therefore, to that tribunal, when it can escape from its wholesome control, and it always endeavours to dispense with the opinions and advice of lawyers, whenever it is safe to do so. This was the origin of the celebrated disputes in the time of Mr Hastings; and it may well be imagined to what extent they were carried, when it is considered, that the jurisdiction of the court was then more extensive than now—very ill defined—the judges indiscreet and embued with all the prejudices of technical lawyers—the government, more arbitrary, irregular, and illegal, and therefore still more in need of restraint than even now.

A very curious example of the feeling on the part of the government, to which we now allude, is afforded in the state of the law respecting the customs. By their last charter, the East India Company are authorized to levy customs within the town of Calcutta, in the same manner they have been accustomed to do in the provinces. They have declined, however, to register their custom-house regulations, and hence cannot sue for penalties, although they have enacted them very liberally. They are enabled, therefore, to collect even this revenue, only by holding the goods in possession.

It is time, however, that we should render some account of the famous Stamp regulation itself. In the copy we have seen, it embraces 48 tolerably close-printed octavo pages; and is so prolix, so technical, yet so unskilfully framed, that there is scarcely a provision of it that would not require the interpretation of an English lawyer. Such is the law which is intended to inflict an exotic impost upon above eighty millions of rude people, already overtaxed, and speaking a variety of imperfect

* These local laws are entitled, Rules, Ordinances, and Regulations for Good Order and Civil Government, &c. It was amusing enough to see the Indian Government insisting upon carrying a law into effect, which was to be entitled, 'for the good order of the town of 'Calcutta,' when they were fully aware, and indeed publicly admitted, that it was calculated to produce general dissatisfaction!

dialects, into any one of which it is morally impossible to render it, so that it shall appear common sense. The tax is sweeping and comprehensive; scarcely anything escapes it.* It taxes bills of exchange, drafts, promissory notes, receipts and discharges for money, bonds, conveyances, leases, agreements, mortgages, assignments, letters of license, policies of insurance, powers of attorney, bills of lading, permits, &c. &c. In the provinces, there is, besides, a stamp on all law papers, even upon accounts and vouchers produced in evidence. The government did not venture on this bold measure in Calcutta—they knew that the King's Court would not endure it.

The amount of the duty is exorbitant and unequal. There is no exception for property of the lowest amount. The duty goes as low as three-halfpence; and this amount is chargeable on all property from 64*s.* down to a farthing.

The penalties are excessive and illegal, commonly amounting to twenty times the value of the stamp which ought to have been used, not to mention the costs of a prosecution in the courts of justice, which may be more than 1000 times as much. In some cases they are still more oppressive. The following is a sample:—'Any vender or distributor of stamps refusing to 'permit the collector, or other person duly authorized by writing under the seal and signature of that officer, to inspect the 'said accounts, and examine the store of stamped paper in the 'custody of such vender, immediately upon demand, shall forfeit, 'for every such refusal, the sum of one hundred sicca rupees '(10*l.*); shall further be subject to *such daily fine*, until he complies with the collector's requisition, *as the Board of Revenue 'may direct!!*'

Here, his Majesty's subjects, within the jurisdiction of his court, for whose protection it is expressly enacted by statute that no regulation can be made repugnant to the laws of Eng-

* There is one curious exception—Newspapers are not taxed. This does not arise, however, from any affection for the press. But Newspapers already pay an excessive postage, not only more productive to the revenue, but a greater obstacle to their dissemination, than a stamp would be. If the latter were fairly imposed, as are similar documents, it would not exceed three-halfpence. But the officers of the army, and other residents of the provinces, pay at present a shilling in postage on every paper. In common decency, if stamps had been imposed, the Indian government must have followed the example of the mother country, and taken off the postage. But so great a facility to the dissemination of political, or any other information, would have been utterly at variance with the known principles of the Indian legislature.

land, are subjected to *an unlimited daily exaction*, at the discretion of a board of officers, nominated by the East India Company, removable at their pleasure, and necessarily ignorant of English and of all other law, saving the law of their masters.

But the last section of the regulation is the most extravagant of any, and, we may add, the most ridiculous. It is to the following effect:—'It shall and may be lawful for the Board of 'Revenue, the superintendent of stamps, and the collector, *or* '*other officers*, vested with the charge of offices established for 'the sale and distribution of stamps, to summon witnesses, to '*administer oaths* and affirmations, in any investigation or in-'quiry into any case relating to the stamp revenue, or any other 'matter or thing connected therewith.' Our readers should understand, that, by the law of England, no person can summon a witness, or administer an oath, except such as may do so by common law, or express statute. This, therefore, renders the provision invalid, and ought in justice to vitiate the whole regulation. We shall suppose, however, that it does not, and then observe its consequences,—premising, that to administer an oath is reckoned a disreputable thing, and consigned to mean classes of persons among every people of the East, from the Indies to Japan, the Mahomedans excepted; and that to take one, except upon very solemn occasions indeed, is utterly repugnant to the prejudices and feelings of every Indian of character within the same wide limits. A Hindu vender of stamps, on a salary of 20 rupees a-month, may summon before him the first Christian inhabitant of Calcutta, and administer an oath to him on the holy Evangelists! A Mahomedan of the same condition may call into his august presence the most opulent and respectable Hindu, the Raja of Burdwau, for example with his L.200,000 a-year, if he should trust himself in Calcutta after the regulation is in effect, and compel him to swear by the Ganges—by a cow, or by the head of his great-grandfather! A disciple of Zoroaster, discharging the dignified duties of a stamp vender, may compel a Chinese to cut off a cock's head, or burn in effigy a whole line of ancestors. All this is ludicrous. But those who are acquainted with the moral, or rather the immoral, condition of our native population in India—all who know their chicanery and their proneness to litigation, and are aware that perjury and subornation are an established traffic among some classes of them, will readily conceive the vexation, the heart-burnings, and the iniquity, for which such an enactment opens a wide field. Is it right, then, or decent, in the East India Company, to outrage the honest and wholesome prejudices of the better classes of their Indian subjects, and thus, as it were, to

place them at the mercy of the most unworthy and unprincipled of their own countrymen? The notorious prostitution of oaths in the administration of justice, and the baneful consequences which have resulted from it, ought surely to have warned the Company and their servants, not to extend the practice to the sordid purpose of raising money.

Upon the inconvenience which a foreign and vexatious impost must produce among the indigent and ignorant inhabitants of the provinces, it is hardly necessary that we should insist. It has, indeed, been long felt, and therefore we are not called upon to reason on the subject. An intelligent observer, in one of the Indian prints, writing from Madras, gives the following picture of its operation under that Presidency. 'The purchaser (of a 'stamp) must often go ten, twenty, thirty miles, always dance 'attendance for its purchase on a servant of government, and 'often return home without it. It is a tax much fitter for the 'town than the interior; but is it wise to choose a tax so Eng-'lish? Should we not rather import blessings?' In another place he remarks, 'Rowannahs (permits) for goods under ten 'rupees (value 1*l.*) were formerly free from the charge of a 'stamp; now they are subject to that charge. It is miserable 'to see an old woman, on an handful of salt fish, which has '*repeatedly* paid land-custom, rowannah, and fees, compelled to 'pay, for the last time, an anna (three-halfpence) for customs, 'and an anna for the stamp.'

To obviate such an inconvenience, a nuisance still greater must be introduced; the land must be covered with stamp-venders and distributors—almost every village, in a territory containing 80 millions of people, should have its stamp office.

The mode in which the East India Company treat native institutions, customs, and opinions, is sufficiently amusing. They are respected, or set at nought, just as suits the convenience of the moment. When the land revenue, for example, is to be raised, they are lauded to the sky—any interference with them is deemed a kind of sacrilege, and in behalf of them the Company violates its solemn pledges. Lord Cornwallis' attempt to protect the inhabitants from fiscal extortion, and to create a proprietary in the land, once so lauded, is then scouted as an improvident and impolitic interference with native usages. When, on the contrary, money is to be made, all this is forgotten; stamps are then declared to be, in the language of the Calcutta government, 'among the least exceptionable of the taxes to which a 'government can have recourse.'—A tax of which the natives of India knew nothing until they had the honour of our acquaintance, and one of the most impolitic and vexatious in the

English statute-book, is then, under aggravated circumstances, thrust upon the Hindus—upon those Hindus, whom, when it suits the occasion, the same Company represents as 'impatient of our 'best institutions, and incapable of appreciating them.'

That stamp-duties are vexatious and unequal is but too obvious. That they are improvident, unthrifty, and unproductive, may be proved with equal facility. The stamp-duties of the Bengal Presidency, containing 65 millions of people, amounted, on an average of three years, ending with 1822, to no more than L.149,508. Those for all India, containing 83 millions, were only L.217,742. But the Bengal charges of *collection* amounted to nearly L.64,000, or above 40 per cent of the impost. In other words, the government takes 15*l.* from the people, and the exchequer receives but 9*l.* Here is clear proof of want of frugality, of impolicy, and of real oppression. It may be added, that the whole sum which the government expects to raise from their extension of the stamp-duties to Calcutta, is not calculated at more than L.60,000. It is for such a pittance that they invade the rights of Englishmen—that they are content to forfeit for themselves the character of freemen, and to incur all the odium and unpopularity which must be the inevitable consequence.

In corroboration of the opinion we have advanced against Stamps, it gives us much pleasure to quote the words of an East India Director;* and the more so, from the extraordinary rarity of such an opportunity. 'This,' says the authority in question, 'is a tax of European origin, and little suitable to the 'character and habits of our native subjects. It is very expen-'sive in the collection, one of the tests of a bad tax; it is ex-'tremely vexatious, and it holds out great temptations to fraud, 'from the ease with which the Stamps can be imitated, and from 'the ignorance of the people who are compelled to use them. 'A tax, moreover, which can be easily evaded, operates injuri-'ously towards the fair dealers, and a tax which admits of im-'positions on the ignorant and unwary, by throwing doubts on 'all contracts, and commercial transactions, is liable to very se-'rious objections.'

'The Stamps too, were superadded to other taxes: the indi-'vidual who had to pay customs, was called upon at the same 'time to pay for a stamp; he who had to deposit a judicial fee 'on entering his suit, was also required to add to it the price of 'a stamp. Now, one direct tax is surely enough at a time; and

* Review of the Financial situation of the East India Company in 1824. By H. St Geo. Tucker, Esq.

'it certainly tended little to the credit of our government to 'send away an ignorant native, several miles, perhaps, in search 'of a stamp, before he was allowed to present a petition. This 'ground of reproach has, *I believe*, been removed. It will im- 'mediately strike those who have given attention to the prin- 'ciples of taxation, that the high rate of charge which, in Ben- 'gal, has hitherto absorbed a large portion of the collections, 'constitutes a great objection to the Stamp duties. It is im- 'provident in any government to take L.15, from the pockets 'of the subject, when only nine of the amount comes into the 'public exchequer. And although it would appear from the 'estimate of 1822-23, that the disproportion of the charges to 'the revenue is expected to be less hereafter, I cannot bring 'myself to regard the Stamps as an economical tax, or as one 'which can be considered free from other objections.' What a miraculous difference there is here shown between the financial secretary of 1810, which the author was, and the financial secretary of 1827!

Our readers will have perceived from what we have already said, that the authority on which the East India Company has ventured to tax the town of Calcutta, is at least very questionable. It is founded on the 98 and 99 sections of the 53d Geo. III. c. 155, commonly called their charter. The subject is referred to also in the 25th section of the same act, and again in a declaratory statute passed in the following year. The words invariably used are, 'duties and taxes,' and never 'taxes and 'duties;' that is to say, the generic term follows the specific or more limited. Either of them may, no doubt, mean any general impost; but the word 'duties' is limited, in the rest of the act, to Customs, and this, we think, appears from the context, to be the sense in which it is here applied by the legislature. The addition of the word 'taxes,' may therefore be fairly construed to mean nothing more than 'duties of customs and other 'similar taxes,' of which the Company had been in the habit of levying several; such as taxes on the consumption of the town of Calcutta; taxes on moorings, pilotage, &c., not to mention various fees and charges on trade, not one of which could be legally levied without the authority of Parliament. It is hardly to be supposed that the Parliament should, in this vague and careless way, have delegated to any body of men one of its most jealously guarded prerogatives; and least of all, to the East India Company, whose monopoly they were at the very moment throwing open to the nation, whose power to impose even customs, they were limiting, and whom they had compelled to reduce or annul the heavy charges which they had heretofore im-

posed on British commerce.* The construction which we have put on the Act, seems, accordingly, to be confirmed by the wording of the declaratory statute to which we have already referred. Within a year after the East India Company had been thus vested with the power of levying custom-house duties and similar taxes, it was discovered that all the duties and taxes heretofore levied by them in India, within the special limits of the King's Courts, were illegal and arbitrary, with the exception of a tax on spirits, and that on the rents of houses. They were, therefore, compelled to come to Parliament for a bill of indemnity, which is the declaratory statute alluded to. This act is entitled 'An Act to remove doubts as to the duties and taxes 'heretofore imposed and levied under the authority of the seve-'ral governments of India.' The same words are repeated in the body of the act. But what taxes, we ask, *can* here be meant, except such as we have supposed, for the taxes on spirits and rents had been already authorized by statute?

The inhabitants of Calcutta, in their address to the local government, judiciously observe, that had the legislature contemplated delegating to the East India Company so vast a power as that of *unlimited taxation* over the king's subjects, it would surely have introduced the subject with some caution and solemnity, instead of leaving it to be inferred from words so loose and ambiguous. This view of the question is confirmed by the conduct of the legislature on former occasions. In the charter before the last, the 33d Geo. III. c. 23, it is provided, that the inhabitants of Calcutta, Madras, and Bombay,—that is to say, those British-born subjects of his Majesty, and natives and other persons living within the special jurisdiction of the King's Courts,—shall pay an assessment on the rents of houses, and a tax on spirituous liquors—the produce of these taxes being destined to purposes purely municipal. They were not intended to fill the pockets of the Company like the stamp-duties, but solely meant, as the act expressly states, to promote 'the comfort, convenience,

* The Company had been authorized to charge three per cent duty on the gross amount of sales in England of all private trade. This was annulled. Before the last charter, the duties charged on the import of British manufactures into Calcutta, generally, were ten per cent, nearly double what was charged on the productions of India. These were reduced by the interference of the Legislature to one-fourth per cent in some cases, and taken off altogether in others. With respect to exports, the Company were compelled, generally, not only to take off all duties, but to return to the exporter the various charges levied on the interior as transit duties.

'and security of the inhabitants themselves.' Notwithstanding this, we have a long preamble, setting forth the object of the taxes in question; they are justified by precedent in England; the mode of levying them is described in detail, and the principle is strictly constitutional; and, finally, the amount of the assessment is jealously limited: and yet the delegation of *this* power seemed to the legislature of the day a matter of such moment, that it is comprehended in the very title of the act; and this is the more remarkable, since the act itself, the charter of the Company, was the most important and comprehensive enactment heretofore passed by the legislature on an Indian question.

What, it may fairly be asked, had occurred in the twenty years which followed, to induce the legislature to depart from the constitutional maxims on which it acted on that occasion, and to deliver over Englishmen, bound hand and foot, to be taxed by the East India Company, in the arbitrary manner in which that Company taxes the conquered inhabitants of India? If it had really been intended to grant the monstrous power claimed by the Company, it might at least have been expected that it would have been mentioned in the title of the act, as on a former and less solemn occasion. There is not, however, a hint of it; and yet the whole of the former act was the work of the late Lord Melville, the abettor, the advocate, the friend and ally of the Directors and their monopoly. Had the confidence of the nation in the moderation and excellency of the Company's government greatly increased in the interval? The exact contrary was the case. The Parliament, and the majority of the nation, began for the first time to think they had been duped by the abettors of the monopoly; and consequently their powers and privileges were curtailed beyond all former examples.

The claim of the East India Company goes to the extent of taxing their countrymen in India, in any manner, and to any extent, which their cupidity may suggest. The precedent to be followed is their own immaculate administration, in their own conquered provinces. The Bengal government, in reference to the words of the statute, expresses itself in the following pleasant and unqualified strain. 'The fair, natural, and obvious in-'terpretation of these words can only be, that *any tax* which the '*necessity* of this government may compel it to levy on *the in-*'*habitants of the country generally*, may similarly be imposed by 'a regulation passed, as directed within the special jurisdiction 'of the King's Courts.' The pretension thus broadly avowed, would lead to rather startling consequences.

The Company, for example, takes as tax nine-tenths of the

rent of all lands in the provinces, estimating such rent generally at *one-half*, or at the least at one-third, of the gross produce of the soil; and leaves a tithe only to the person called *the proprietor*. It called this 'creating a private proprietary right in the 'land;' and raising a landed aristocracy, in imitation, as was hinted at the time, of old, venerable, feudal England, whose institutions, right or wrong, seemed at the moment to be most dear to them. This tax was declared to be limited in perpetuity; and there was no end to the vaunting of the Company on account of the 'generosity,' 'magnanimity,' &c. &c. which it displayed on the occasion. Some of its zealous friends, little dreaming what was to follow, insisted that the conduct of the Corporation, on this occasion, 'Surpassed all Greek, surpassed all Roman fame.'

Unhappily for this generous emulation, the Company has lived to repent of its liberality, and has shifted its ground. No more money was to be made by surpassing the Greeks and Romans; and a new system is now patronised, from which it hopes for more substantial advantages.

But to proceed with our illustration: British-born subjects are permitted to hold lands within the special jurisdiction of the King's Courts, but nowhere else. Let us suppose, then, an Englishman holds lands in Calcutta, which bring him in a yearly revenue of 10,000 rupees, or 1000*l*. If the construction put by the Company on the statute be the right one, there is nothing to prevent the local government from seizing nine hundred pounds of this rent as tax. It may even boast of its generosity and forbearance. Its friends may again say, that its virtues surpass those of the Greeks and Romans. Nay, it may repent of such leniency in a few short years, and establish the system so much in repute with the Directors and the authorities at Madras; that is, appoint crowds of revenue officers to make an arbitrary assessment of the land, covering the face of it like a flight of locusts,—leave the owner 5 per cent, or 2 per cent, or no per cent at all, instead of 10,—flog him when he is in arrears,—and, finally, when reduced to the condition of a pauper, and unable to pay more, oust him of his land altogether, and give it to another, who shall, in his turn, see the fields of his fathers covered with locusts,—be assessed,—flogged,—and ousted.

Again: The Company, in its tenderness for the rights and usages of the native inhabitants, levies a tax on Hindu piety at the temples of Jagarnaut and Gya.* This is a good precedent

* The revenue derived by the Company from the resort of pilgrims to those two places, amounts yearly to about 40,000*l*. This tax varies according to circumstances, but is not less than five, nor more than fourteen and three-quarters rupees a-head.

for taxing the church-going inhabitants of Calcutta. Why, in the words of the Bengal Government, should the frequenters of St John's cathedral, and the kirk of St Andrew, enjoy an 'in-'equitable exemption?' Let them by all means pay twenty-eight shillings and threepence a-head, the highest rate for which there is any precedent, every Sunday and holiday, before they hear prayers or sermon! At certain spots of the holy Ganges, our government taxes the Hindus for the privilege of washing themselves, at the rate of six shillings a-head. This tax, according to the 'fair, natural, and obvious interpretation of the statute,' should also be extended to the English inhabitants of Calcutta. They, too, use the waters of the sacred Ganges in their ablutions, and should be made to pay for the privilege, that there may exist no 'inequitable exemption' of uncleanliness among the varied subjects of the East India Company. To be sure, the King's Court might have found such taxes somewhat 'repugnant to the 'laws of England,' and refused to register them; but this would be no fault of the government, for of that inconvenient restraint they have shown themselves sufficiently anxious at all times to get rid, and above all, when money is to be made.

In looking over the debates in Parliament, and the correspondence between the Board of Control and the Court of Directors, during the three years that the Company's charter was under discussion, we cannot discover that one syllable ever passed respecting the monstrous claim now set up by that body. But can it be for a moment imagined, that had the House of Commons contemplated the surrender of its privileges to the East India Company—contemplated the delegation to that body of *an unlimited right to tax the King's subjects*, amounting probably to little less than a million of souls,* hitherto protected by their birthrights, and by repeated charters or acts of Parliament, in all the immunities and privileges of British subjects, not expressly taken from them by statute—is it reasonable to imagine that

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* The inhabitants at present within the special jurisdiction of the King's Courts have been estimated as follows, viz.:

Calcutta, (supposed to be much underrated)	300,000
Madras,	300,000
Bombay,	220,000
Penang,	55,000
Singapore,	15,000
Malacca,	30,000
	920,000

the legislature delegated to a joint stock company that power which it never delegated to any body of men before, unless when it at the same time conferred the privilege of a representative constitution—can it in reason be supposed that the able and vigilant opponents of the Company in Parliament should have allowed such an encroachment upon the constitution, and upon the privileges of the subject, in silence, and without notice or opposition? But even if Parliament had been led into this error, it is high time it should be reminded of its mistake, and brought to a sense of its duty. For performing this task, and performing it under circumstances of difficulty and personal danger, in a manly, decorous, and temperate manner, we do not scruple to say that the people of this country generally are under serious obligations to the inhabitants of Calcutta. When independence and freedom have struck root in the enslaved soil of Asia, the cause of good government need nowhere be despaired of.

What strikes us as the most remarkable feature in the whole transaction, is the imprudence and pertinacity of the local government in not at least suspending its unpopular edict, when the frail ground on which it was founded was pointed out to them. They ought surely to have reflected, that the privileges of their employers were, in a few short years, to come under the examination of the people and the national councils—that monopolies were no longer the fashion with either—that the once lucky cry of violated chartered privileges would no more serve their purpose, and that it would have been discreet at least not to have persisted in a measure which must inevitably aggravate the indisposition of the nation to the Company and its pretensions. A wise government—one that had any sympathy with its subjects, would, no doubt, have forborne, from more elevated and generous motives. But these we need not seek for at present. The privileges of the British inhabitants living within the jurisdiction of the King's Courts, and the prosperity which has grown out of those privileges, have never been viewed by the Company and its servants with the eyes of Englishmen. Vitiated by the long exercise of despotic rule over millions of prostrate Indians, those privileges and that prosperity have been hateful to them, as a derogation from their power and dignity; and they have never failed, when occasion offered, to use their best means to encroach upon the one, or grasp at the produce of the other. The existence of those privileged inhabitants is, notwithstanding, of the utmost importance to the good government of India, even if they were not to contribute one farthing to the public revenue. Where nothing else is free, the small shade of

freedom and security which *they* enjoy, is a wholesome and useful check on absolute authority, and, presented daily to the eyes of its possessors, cannot fail now and then to awaken them from their delirium of power, by showing them the real value of limited and lawful authority.

The inhabitants of Calcutta are far from objecting to defray the charges of their own municipal administration, or even contributing, to a legal and moderate extent, towards the general revenue; but they have come to a resolution which every lover of freedom and good government must approve, to resist every tax illegally or equivocally imposed, and the object of which, as in the instance of the Stamp-duty, is to injure the whole community, for the purpose of creating a fund to maintain an unconstitutional government in its course of prodigality and extravagance. In respect both to municipal and general revenue, the submission of the inhabitants of Calcutta has indeed hitherto been carried too far. They had long paid town duties, when it was illegal in the East India Company to exact them. They had paid customs for forty years, that is, from the 13th to the 54th year of the late King, when it was *extortion* in the Company to take them. In reference to this last subject, we leave it to that body and to their servants, who peremptorily decide on their own skill in construing Acts of Parliament, (a skill by the way already brought into question by their difference of opinion with the twelve judges on the simple question of the interest of money,) to explain how they came to be under the necessity of applying to Parliament, as late as 1814, praying indemnity for a long arrear of two score years of illegality and error?

In the foregoing part of this article, we have seen that the East India Company and its servants plead their *Necessities* for imposing the Stamp-duty. There is then an end, and we hope for ever, to the idle and mischievous delusion about surplus revenue; and this at least is an advantage. Through the mismanagement of the Company, its revenue is unquestionably inadequate to the ordinary expenses of government. No ingenuity can well be expected to squeeze more money from the impoverished Hindus, and Parliament will protect the property of the Europeans from falling a prey to the Company's extravagance. What then is to be done to carry on the machinery of government? There is one expedient which, however unpalatable, we will venture to recommend—Retrenchment—moderate retrenchment—such as will injure no man's fortunes or prospects. This is by far the easiest, safest, and most efficacious means of filling the Company's exhausted coffers; and it will, they may rest as-

sured, occasion neither insurrection nor discontent. There will be no petitions to Parliament against it; and it will not at all infringe their own principle of equal taxation. We advise them then to set about it in good earnest; and as there is a fair field for their exertions, we can promise them that not only success, but popularity, of which they have so much need, will crown their efforts.

That the Honourable Company may not plead ignorance how they are to commence this good work, we shall now furnish them with a few hints of a practical nature.

The first object of retrenchment pointed out by the ingenious and accomplished author of 'the Appeal to England,' is, the little presidency or government established in the Straits of Malacca, consisting of two islets and a small barren tract on the peninsula. For the protection and extension of our commerce among a barbarous and piratical people, these establishments have proved eminently useful. Through them a commerce, either new or directed into cheaper and safer channels, has arisen to the yearly value of above three millions sterling. The credit of this adventure, however, was not enough for the East India Company, and their utility to the public had hardly begun to be felt, when they made them subservient to their favourite scheme of extended patronage. These barren and desert spots were speedily exalted into a territorial government; and their humble utility neutralized by making them a heavy burden on the territorial revenue of Bengal, that portion of our acquisitions which seems destined to pay for all the sins of their mismanagement.

The work began with the late Lord Melville. It was one of the last acts of his political life to erect a barren islet of less than three hundred square miles, to wit, Penang, into a Presidency, with a governor, a civil council, a commander-in-chief without an army, and a crowd of civil functionaries, without any more available territory to administer than was to be found in the clouds over their heads. This government, of course, found nothing to do, and therefore set about making work for itself; and for this genuine work of supererogation, drew copiously on the territorial revenue of India. The ridicule attached to this scheme of administration produced some retrenchment; but still, and till very lately, the Indian territory or trade paid for the job, about L.75,000 a-year, exclusive of contingencies.

By a lucky hit in a treaty with the government of the Netherlands, the Company got rid of Bencoolen, a most worth-

less settlement, which, besides the commercial losses that arose yearly from its possession, sunk to the nation yearly L.90,000. This sum had long been a mere fund to support the Company's patronage. They resolved that it should continue so, and therefore as soon as the settlement of Singapore and Malacca became by law British possessions, the work of exaggeration was repeated. Adding Penang to them, they declared the whole an insular presidency, quadrupling the military establishments, and doubling the civil. The financial result of this novel specimen of legislation, if we are to credit the public prints, has been to raise the charges from L.100,000 to L.240,000 a-year, and to excite a vigorous lust of taxation, where there was nothing to tax but the free trade of England, considered distinct from the monopoly traffic of the East India Company.

During the best period of its commercial history, Penang was comparatively administered on a very moderate and economical plan. The charges of Malacca were also on a very humble scale, even during our occupation of it in war. Of Singapore, which in five years brought an accession of trade to the nation, amounting yearly to little short of two millions and a half sterling, the charges, ordinary and extraordinary, until of late, do not appear to have exceeded L.20,000. Now, Penang, which is of less importance, might surely be managed with a similar sum; and the Malaccas would be well off indeed with half the amount. Here then would be a saving of L.190,000 a-year. But, to avoid all exaggeration, let us strike off one half, which still leaves a net saving of L.95,000 a-year.

The smaller and more insignificant an establishment is, the more does it seem to be favoured with the attention, and of course patronage, of the East India Directors. Bencoolen was long their darling—Penang, ever since the Directors had the privilege of nominating a governor, councillors, and civil servants to it, has been a favourite child. Another much-cherished urchin is the rock of St Helena. This speck in the ocean contains an area of 30,000 acres of precipitous volcanic rocks, among the narrow valleys of which may now and then be discovered a few spots of meagre soil. The population is from three to four thousand, the most peaceable and orderly of God's creatures; and the whole island is *one parish*, and not a very large one. This parish, however, has a governor, a council, and eighteen great functionaries for its civil administration. For its garrison, it has a regiment of artillery, a regiment of infantry, and a corps of volunteers, with a copious military staff. Is so grand an establishment necessary for the good government of a

parish containing 30,000 acres of barren land? Is so splendid a garrison necessary in a place 1200 miles distant from any continent—in a place with an iron-bound coast, accessible only at one narrow spot—in a place which, producing not one grain of corn, and supplied entirely from a vast distance with almost every necessary of life, could not, even if taken by a *coup de main*, be retained for a single month by any power on earth against our naval superiority? We suppose that all this is not absolutely necessary—because the neighbouring island of Ascension, far less defensible, is occupied by his Majesty's government; and in lieu of a governor and council, a great garrison and a great staff, there is here but a major of marines and a small party of his corps. It has been so retained, *without danger* to itself or *the state*, for some years back.

We observe that, by the public accounts, the charges for St Helena, in 1821-2, were L.208,038; a larger sum greatly, if we remember well, than was expended on the civil government of all the British colonies in America before their independence, and when they contained two millions of people! The following year the charges were *only* L.120,093. We take the average, L.164,065. For the civil and military government of St Helena we allow the East India Company the magnificent sum of L.20,000 a-year, tossing them in a few fractions to the bargain. The saving will still be L.140,000, or L.20,000 above double the amount expected from the Stamp-duty of Calcutta!

But the Trade of the East India Company is the grand source of their difficulties. While they preposterously continue to declare, that without it they could not conduct the government of India, yet has it been the greatest bane of their administration —a source of oppression to their subjects, and of embarrassment to themselves. On this ruinous trade, if such a traffic of jobbing and patronage deserve the name, is lavished the ample territorial revenue, which should be spent in the administration of justice, in that of police, in the promotion of education, in useful public works, and other obvious improvements. Were our power overthrown to-morrow, how contemptible would be the monuments, moral or physical, left to attest our long-established empire over eighty-three millions of people! yet so great is the sum yearly squandered on this miserable monopoly-trade, that a very few years accumulation of it, judiciously and prudently laid out in improvement, would be quite sufficient to redeem our national character. We can only touch on this subject of mighty abuses. Adhering to our promise, we only suggest a few obvious retrenchments; although the annihilation of the

system, root and branch, is the real remedy. There are about one-and-twenty commercial agents, or other principal officers connected with the Company's *losing trade*, spread over the face of their Indian territories, and receiving, either as salary, or in the shape of a commission, which is the same thing, incomes which cannot fairly be averaged lower than L.5000 a-year a-piece. A collector of the land-tax, whose duties are more laborious—more responsible—more dignified—and more useful, receives, on an average, not perhaps so much as L.3000 a-year. In tenderness to the Company's ancient prejudices in favour of trade, profitable or unprofitable, let us put a commercial agent on a level with a collector of the land revenue. Even this liberal and considerate arrangement would give a yearly saving of L.42,000.

Allied to the trade, although pronounced by the Board of Control not to be comprehended in it, are the salt and opium monopolies. Connected with these departments we may reckon ten *great officers*, whose allowances, to avoid all exaggeration, we shall reckon only at L.6000 a-year each. This is as much as is received by a Company's Lord Chief-Justice! Either, then, his lordship must be greatly underpaid, or the other party greatly overpaid. We think the latter, and therefore suggest, with the liberality which we have already shown, that a salt and opium agent be put on a level with the civil officer who is charged with the judicial, ministerial, and magisterial administration of justice, in a province containing half a million of people. This, on a liberal scale, is L.3500 a-year, and ought to give no offence. Here, then, is another clear saving of L.25,000.

Let us turn for a moment to China, where we shall certainly discover matter in abundance for improving the Company's finances. In 1820, the Company laid before Lord Lansdowne's committee an account of their shipping. They showed, that they employed, as they called them, forty-three 'great ships,' the registered burden of which amounted to little short of 52,000 tons. About a seventh part only, however, of these 'great ships' belongs to the Company themselves. The rest are freighted, or chartered ships, at a rate varying from L.21 to L.26 per ton. Their own ships are, of course, still more expensive; but we shall assume the cost per ton to be only L.24, as a very moderate average for the whole. A Company's 'great ship' makes one voyage in two years; but an American 'small ship' makes it in one; and an English small ship makes a voyage of equal, if not greater length, that is a Bengal voyage, in the same time; nay, this last is very generally performed within ten months.

Ships of the first class, fit to convey the most precious and perishable cargo that ever ship conveyed, may now be had in London, or Liverpool, for a Bengal voyage, and of course for a China one, if they were allowed to go there, for L.8 per ton. Nay, as long ago as 1820, the Directors themselves acknowledged to the Lords' Committee of trade, that abundance of shipping was tendered to them at L.12, L.10, and even L.8 per ton; while they were boasting of having 52,000 tons of 'great ships' at L.26 per ton! It is true, that the Company's ships are the finest vessels in the commercial navy of England; that their officers are brave, skilful, and intelligent. They are fine vessels, however, only in the abstract; that is, as long as there is no reference to any useful purpose. The purposes of war and commerce, it is obvious to common sense, are incompatible; and therefore, as men of war, the Company's shipping are not suitable. That we are at peace with all the world, makes the matter only the more preposterous. As far as trade is concerned, a ship, which, by whatever accident, makes systematically but *one* voyage, while another makes *two*, is not a superior merchantman, but a very inferior one indeed. The first is not only not better than the last; she is not worth half, nay not one-third the same freight. If this plain reasoning will not convince the Honourable Company, let them try the experiment, by tendering one of their 'great ships' to the merchants of London or Liverpool. We suspect they will find the scheme, to use their own words, to be one of those 'costly experiments' which fill 'many volumes' of the correspondence of their 'servants 'abroad,' and which the means, the resources, the safety of private merchants, are '(not)' likely to enable *them* to make.* At the rate we have given, the Company's shipping cost L.840,000 per voyage. Free shipping would cost only L.408,000. We have here an indisputable saving of L.420,000—seven times the amount which the Company expects to raise by harassing, through a heavy stamp-tax, the most important branch of the free trade of India, and happily we can now add, a very material branch of the general commerce of the nation!

Respecting the Tea trade, the grand instrument of the Company's *imposition* upon the nation, we shall only touch on one little item, the charges of merchandize. By the Company's accounts, we find, that, on the average of the teas yearly imported, which may be stated at the prime cost of L.1,815,100, the charges are stated, exclusive of interest, freight, demurrage, and

* Report of the Committee of Correspondence.

insurance, at L.325,000. This is such a charge as never was heard of in any similar branch of trade conducted with ordinary prudence. We have made a laborious calculation, in which, every allowance being made for the weakness of a joint-stock company, the charges in question ought not to exceed L.250,000. The saving here is L.75,000.

The Company loses yearly by their export trade to China from England. Before the Lords' Committee already referred to, they themselves laid a statement, showing, that out of twenty-six years they sustained a loss on twenty-three, making an annual loss on the whole period in round numbers of L.64,158. If this singular mode of 'turning a penny,' and, as is alleged, for the good of the nation, be abandoned, the nation, which seems to be obliged in spite of itself, will, at the very least, not be poorer, and the Company's exchequer will be richer without effort, by a sum exceeding considerably the amount intended to be raised, by taxing the commerce of its rivals.

The Company exports British goods to their dominions in India, on which they also acknowledge a loss, although they have not condescended to tell us the extent. We cannot, however, suppose that it is less, in a market where they have to compete with the free-traders, and where that competition has already compelled them to diminish their investments, than in one where they do not meet with those dangerous rivals. We shall rate the loss therefore the same; and the amount of the trade in question being, on an average of six years, L.544,929, the direct saving of money, by abandoning it, or by at least carrying it on with such a modicum of discretion, 'that both ends may 'meet,' will be L.37,238.

The Company engages in the export trade from India to China—their cargoes consisting chiefly of raw cotton and sandal wood, but chiefly of the former. Here they have to compete, and in the very same articles, with the 'interlopers' of Calcutta and Bombay, as well as with the Americans, and this is, consequently, one of the most losing of all their speculations. A specimen of the manner in which it is conducted in India, will show one portion of its character, and enable us to guess at the probable loss which is incurred by it. Cotton in 1826 was selling cheaply in Calcutta. The Company ordered theirs, however, through their agent, 800 miles off; and, when burdened with his commission, insurance, interest, carriage by land and water, and other charges, it reached Calcutta some *thirty-seven* per *cent* dearer than cotton of the same quality in the common market. We say nothing of its conveyance to China in ships of the class we have already described, nor of the heavy charges at

that place; but the loss at Calcutta alone, arising out of the mere difference in price between an article under the Company's management, and the plebeian management of ordinary merchants, on the amount invested, was above L.80,000. This is a repetition of what is happening year after year. If we take the losses at Madras and Bombay only at L.20,000, we shall have a dead loss of L.100,000, which amounts to a yearly absorption of $\frac{1}{3}$ of the capital employed, that capital being only L.300,000! For the sake of decency, as well as economy, let the successors of the Great Mogul forbear henceforth from meddling in raw cotton and sandal wood!*

The sum total of the retrenchments which we have here proposed, and we have merely touched upon a few prominent heads, is above one million sterling—that is within a trifle of one-half the gross revenue of the whole United States of America—a moiety of what is sufficient for the good government of eleven millions of people, the most flourishing on the records of mankind! If the East India Company will but set honestly to work, here is a splendid field for the improvement of its finances. Humble individuals as we are, we will venture to say, that we have here laid open the prospect of realizing a larger and less questionable net revenue, than the conquests of Clive, or the arrangements of Cornwallis, or the victories and diplomacy of Wellesley, ever realized. Here is exhibited, with a few strokes of a pen, a certain financial enhancement, amounting to one twenty-second part of the whole territorial revenue of India, the produce of the labour and capital of eighty-three millions of people—the price of the courage, blood, wealth, and intellect, of between two and three generations of Englishmen. Here, if it were not as impolitic as unjust and disgraceful to take it, if it existed, there might at length be some prospect of the surplus revenue in vain looked for, for seventy long years, and which we hope and doubt not will be in vain looked for, for seventy more.†

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* In this sketch of the Company's trading concerns, we have not touched upon one of the most important objects of retrenchment, their traffic from India to England. This grand source of loss and abuse we reserve for a future occasion.

† Lord Clive was for paying off the national debt with the money of the *poor* Hindus; which was as reasonable as to expect that a peasant should pay off the incumbrances of his great, wealthy, and extravagant landlord. His successors have not been quite so sanguine; but even the liberal and high-minded Lord Hastings was not altogether free from the delusion. He spoke confidently of an annual surplus re-

Our scheme exhibits, we may further add, a net revenue, exceeding the present Stamp-duties of all India, in the proportion of near 3360 to 100, and the sum proposed to be raised by an impost on the trade and industry of Calcutta, by that of 1566 to 100. When the East India Company shall have carried these hints into effect, we shall be prepared to suggest to them further improvements in finance on the same principle. All these again being duly and in good faith acted upon, and real necessities still continuing, we think we may safely assure the Company, that they may apply with confidence to the inhabitants of Calcutta for help. It will behove them, however, in such a case, to solicit with the modesty which becomes merchants in distressed circumstances. We must have no sovereign swaggering on such an occasion—no more lectures on Political Economy, or against it, to persuade a class of men, distinguished for industry and prudence, to give their money away to make up for the improvidence of another class, not so distinguished.

Lest the East India Company should be committed into private injustice by acting too rashly on the scheme of retrenchment which we have now suggested, we have to warn them once for all, that they are not called upon to act with such precipitation as to injure the vested interest of individuals, who, however vicious the system, have undoubted claims to protection under it; for that system was not of their founding, while unknowingly they had built their hopes of independence upon it. Their rights unquestionably should be respected; and all that the East India Company is expected to do, is not systematically to repeat the abuse when vacancies or opportunities of reform occur. Even this moderate and progressive plan will produce a great amelioration in their finances; and although it may ultimately impair a little their patronage, it will, at the same time, rescue them from the odium of being com-

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venue of four millions sterling. Mr Tucker, whom we have already quoted, reduced his lordship's surplus to *one-eighth*, or the moiety of a million. But while Mr Tucker was making his calculations, in stepped the Burman war, and reduced *his* slender surplus, a sum equal to what we are in the habit of laying out on a bridge or a canal in this country, without writing magnificent dissertations on the subject, to seventy per cent below zero! Such, at least, must be the case if the author of the 'Appeal' be right in estimating, as he does, the expenses of the Burman war at thirteen millions sterling. The interest of this sum at five per cent, the lowest at which the India Government can borrow, exceeds Mr Tucker's estimate by L.150,000. So much for this short returning dream of a surplus revenue!

plained against to Parliament and the nation, for acts of doubtful legality and of obvious oppression and impolicy. Addressing ourselves more seriously to the subject, is it to be endured, that, while the waste we have pointed out, or the one half of it, exists, the East India Company should, as they have done, be allowed publicly and solemnly to tell us of the total impossibility of improving the administration of justice among their native subjects, for want of funds, while, in the same breath, they gull the nation with promises of surplus revenue? Is it to be endured, that, while they exist, the Company should arrogantly claim the right of appropriating to themselves the produce of the industry of any class of the free people of these kingdoms, and this, too, for the sole purpose of perpetuating their most offensive and selfish extravagance—an extravagance often directed against the interests and liberties of the very parties whom they would thus lay under contribution for its support? But, above all, is it to be tolerated, that a yearly million of the national capital should be wasted in folly and extravagance, at the very moment that the government of this country is unable to raise from its distressed inhabitants a revenue sufficient to pay for necessary and indispensable charges?

A few words on the condition of British subjects in India, and of the other persons living within the special jurisdiction of the King's Courts, possessing by their domicile the rights of British subjects, will be necessary towards the illustration and completion of our subject.

The towns of Calcutta, Madras, and Bombay, are *British Colonies*, founded and maintained, indeed, under very inauspicious circumstances, but still British colonies,—created by British enterprise,—always governed by British law,—obtained at first by voluntary cession,—and thus differing totally from the more recent territorial conquests of the Company,—and, finally, because the sovereignty in them has always belonged indisputably to the Crown and people of Great Britain.

Calcutta was a free grant from the Subadar or Governor of the province of Bengal, the grandson of the celebrated Aurung Zebe, to the English, as early as the year 1696, twelve years before the existence of the present East India Company. The greatest and wealthiest city which the Eastern world ever saw was then a wretched Hindu village of a few straggling houses. Ninety-nine parts out of one hundred of the changes have been produced by the 'interlopers'—not so much with the assistance as in despite of the East India Company, or at least in defiance of its principles and its wishes.

Madras is of still earlier foundation; having been obtained by

grant from a Hindu prince in 1639, near 70 years before the existence of the present Company. It rose out of a barren sand, and in a dreary tract, which had few or no inhabitants.

Bombay has been a British colony from the year 1664, 44 years before the existence of the present Company. It was nearly a desert when we obtained it. As is well known, it was part of the dower of Queen Catharine, the Portuguese consort of Charles the Second. Four years afterwards, it was granted by the Crown to the then East India Company. Penang, Singapore, and Malacca, the other settlements in which English law is administered, were all obtained by peaceable cession, without any condition to mark force or violence, from states in friendship or alliance with us. Now, whenever Englishmen settle in an unoccupied country, or in a district ceded by a foreign power, and there is no express convention with that power to the contrary, they carry with them the laws of England. This is an established maxim of our constitution. English law was therefore virtually established in all our early settlements from the first moment of their existence, and no power short of an act of Parliament could afterwards abridge the privileges of the inhabitants, their descendants, and successors.

The virtual privileges to which we allude soon received the sanction of legislative enactment. In the third charter of the East India Company, granted by Charles the Second in 1661, the governors and councils of all our factories in India were authorized 'to exercise civil and criminal jurisdiction in the 'said factories, &c. *according to the laws of England.*'* In the grant of Bombay, eight years thereafter, the language made use of is still more explicit:—'The general Court of Proprie-'tors, or the governor and committees, are empowered to make 'and publish, under the Company's seal, laws and constitu-'tions for the good government of the island and its inhabitants, 'and the use of the port, and to impose punishments and penalties 'extending to the taking away life or member, when the qua-'lity of the offences shall require it, so that the punishments 'and penalties are consonant to reason, and *not repugnant to, but, as near as may be, agreeable to the laws of England.*'* Even the miserable rock of St Helena was not granted without a similar provision for the administration of English laws, expressed in precisely the same language.

The increase of British settlers, in our principal acquisitions,

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* We quote from the abstract of the charter, contained in a collection of statutes compiled expressly for 'the use of the East India Company.'

in due time called for further provisions. And so early as 1726, Mayors' Courts, consisting of a Mayor and nine Aldermen, were created for Calcutta, Madras, and Bombay. The constitution of these courts was indeed as vicious as possible. The judges were appointed by the Company, and removable at their pleasure; an appeal lay from them to the Governor and Council; and, as Mr Mill observes, 'The persons appointed to 'fill the judicial offices were the servants of the Company, bred 'to commerce, and nursed in its details. Totally ignorant of 'the laws, they were obliged to be guided by what, in each in-'stance, appeared to them to be the equity of the case.' Still the law to be administered was the law of England, and nothing repugnant to it was authorized. If these laws were ever infringed, the Company and its servants were alone to blame.

The vices of the East India Company's government, at home and abroad, as is expressly declared in the preamble to the statute, caused, in 1773, the appointment of a King's Court of Justice in Bengal, wholly independent of the Company. Its authority at first extended over the whole of the Company's territory; but the misconduct of the judges, and the intrigues of the Company, unhappily afterwards succeeded in limiting its special jurisdiction to Calcutta. Here it continues *intact*, the court being vested with the same authority as the Court of King's Bench and the Chancery; and having also Admiralty and Ecclesiastic jurisdiction. Trial by jury was established in criminal cases, and might have been so in civil, had not the first judges, putting a sinister construction on the King's charter, reserved this power to themselves. They had also power to frame the process of the court, but, unhappily for the administration of justice, adopted all the intricate technicalities of the courts of Westminster.

In later times, King's Courts, with similar jurisdiction, were appointed at Madras and Bombay: first under the name of Recorders' Courts, and afterwards of Supreme Courts.

In the acts of Parliament, creating all these courts, the Company's governments are authorized to make local regulations, for 'the good government' of the settlements, but always under this special restriction, that they shall be approved *by the King's judges*—registered in his Majesty's Court, and be not 'repug-'nant to the laws of England.'

Until the year 1793, the East India Company, as such, had no power or authority whatever over the persons or property of British subjects, except that of sending them home as 'inter-'lopers.' In was in this last year, as we have already seen, that authority was given for taxing rents and spirituous liquors, as

well as for sending from India persons without license, and 'suspected' persons. It was not until the last charter, that the Company's servants in the provinces, being, however, justices of the peace, were vested with certain limited jurisdiction, subject to an appeal to the King's Courts, over their persons and property, and that even duties of customs could be legally levied from them.

From all this, it will appear that the legislature never could have contemplated investing the East India Company with an arbitrary power over the property of British-born subjects, or of those natives and others, who, *from residence*, necessarily partake of their immunities. On the contrary, it displayed a remarkable jealousy on this subject, and, in the provinces, hardly gave the Company's servants authority enough for fair judicial purposes. Before the 33d Geo. III. a magistrate in the provinces could not arrest a British-born subject, even when guilty of a felony. Even in that act this was all the power given, and it was derived, not from the Company, but the King, that is, by making the provincial magistrates his Majesty's justices of the peace. It follows, therefore, that all British subjects in India are possessed of every privilege, not expressly taken from them by statute. The settlement of Calcutta, (the others still earlier,) was governed by English laws, for more than seventy years before the East India Company became possessed of the earliest of those conquests, on the model of the taxation of which they now propose to tax its inhabitants. It is remarkable, that for sixteen years, from Clive's conquest of Bengal to the act of 1773, the East India Company themselves governed the whole territory beyond Calcutta, without right or law. In all this time Parliament took no notice of their acquisitions, and at no subsequent period did it indemnify them for their illegal acts, fiscal and judicial, towards the inhabitants of the country, afterwards declared to be, in a restricted sense, British subjects. In the language of the judicious and well-informed author of the 'Appeal,' 'The Parliament and law of England, speaking 'technically, knew nothing of any part of Bengal, but the ori-'ginal settlement of Calcutta; even criminal jurisdiction was 'not legally exercised over Englishmen, beyond the bounds of 'the old settlement.'

Even when the legislature did notice the territorial acquisitions of the East India Company, the powers which it conferred were extremely vague, general, and ill defined. They simply provided, that the civil and military government should be vested in a Governor-general and Council; and for the powers to be

exercised by this local administration, the statute referred to those that had before been exercised by the 'Presidents and se-'lect committees,' that is, exercised by the very persons, whose mal-administration had compelled Parliament, at the moment, to legislate for the Company, and encroach upon what that Company pleasantly called 'its chartered rights.' Nearly in this state, the powers vested in the East India Company still remain. If the Company's reasoning, in respect to its unlimited power to tax British subjects living under its authority, in the same manner it taxes the Indians, were valid, it is clear, from this provision, that it might help itself to their money, in the same unceremonious manner that Clive, an illustrious 'President,' and his council, did to that of the Hindus!*

There is, to be sure, one modest claim of the Company, which, could it have been substantiated, would have entitled them to make any laws whatever for Englishmen and their property, after the purest samples of Eastern government. There was a time, and it is not very remote, when they made a claim to the absolute Sovereignty of India, fancying themselves the Great Mogul personified, or, at the very least, his vicegerents, and using a language, in reality equivalent to throwing off their allegiance to the nation! By a skilful outcry against infringement of chartered rights, they even succeeded in so far prostrating the public mind, as to enlist its ignorance and prejudices on their side, and make it look with complacency upon this monstrous pretension. In the law of nature and nations, there was no shadow of ground for so extravagant an assumption; but independent altogether of this, it is remarkable how early and how jealously the right of sovereignty was reserved by the legislature, by a series of express enactments. Bombay was given to the Company, 'to be held by them of the crown, as of the manor 'of East Greenwich, in free and common soccage, at a fee-farm 'rent of ten pounds a-year, Saving always the faith and alle-'giance to the Crown of England due and belonging, and the 'Royal power and Sovereignty over its subjects and inhabitants 'there.' It is difficult, in fact, to conceive what was granted here, except the right to appropriate the unoccupied land; for the inhabitants, by other clauses of the same instrument, were

* The wording of the act would certainly bear them out. It runs thus,—'In like manner, *to all intents and purposes* whatsoever, as the 'same now are, *or at any time heretofore* might have been exercised by 'the President and Council, or Select Committee, in the said kingdoms.' —13th Geo. III. cap. 63, sect. 7th.

secured in the enjoyment of their former rights and privileges. St Helena was granted, with an equally guarded reservation of the right of sovereignty. The right of sovereignty over their very warehouses and factories, was reserved in the charter of King William, dated in 1698, in these distinct terms:—'The 'Sovereign right, power, and dominion over all the said forts, 'places, and plantations, to us, our heirs and successors, being al- 'ways reserved.' On the very first occasion in which Parliament legislated for the territorial acquisitions of the Company, in directing how they are to be governed, this reservation is expressly made,—'During such time as the territorial acquisitions and 'revenues shall remain in possession of the said Company.' In the act of 1793, when the Company was in the plenitude of its power, under the protection of the late Lord Melville, the territorial acquisitions are included, as well as the monopoly of trade in the limited lease of twenty years. Nay, there is an express provision in the act, that nothing therein shall prejudice the rights of the public to the acquisitions and revenues of India.

Notwithstanding all this, the East India Company persisted in their senseless claim down to the year 1813, when the legislature at length put an end to it for ever, by declaring that the 'Undoubted' Sovereignty 'of the Indian territorial acquisitions 'belonged to the Crown of the united kingdom of Great Britain 'and Ireland.' Not satisfied with this declaration in the preamble of the act, an express section is set apart for the reservation of the sovereignty to the crown, in the body of the statute itself.

What was virtually, and even technically, true before, therefore, is now made doubly sure, by a solemn and unqualified declaration of the legislature. Our Indian possessions are *the property of the State*; and the East India Company are but the mere administrators, for a limited period, of acquisitions truly made with the blood and treasure of the people of this kingdom. As possessions of the crown, therefore, Englishmen residing in them are vested with all the franchises and privileges which the peculiarity of their situation can admit, and which are not taken away by express statute.

Those that have been taken away by parliament on the representations (or misrepresentations) of the East India Company, are indeed too many. The bare enumeration of them, which we are now about to make, will, we are convinced, satisfy our readers that nothing but the utmost hardihood of rapacity could have induced the Company, as they now do, to claim the right of unconstitutional taxation over a class of their countrymen,

already placed by their own intrigues under such painful and impolitic disabilities.

1. An Englishman cannot resort to India,—to that country, the acquisition of which has, of all our possessions, cost Englishmen the greatest share of blood and treasure,—without license from the East India Company. This license, too, is granted with difficulty, that it may be made an object of patronage. When given, it is clogged with fees, forms, and illegal indentures, by which the applicant is called upon for unlimited submission to the by-laws of the East India Company.

2. When arrived in India, his license is liable, at any moment, to be withdrawn by the servants of the Company, and his person may be transported to England, without any cause assigned.

3. An Englishman cannot go beyond ten miles of the seats of government, without a special license,—and such license may be recalled without any cause assigned.

4. An Englishman, residing ten miles beyond a *principal settlement*, which means the towns of Calcutta, Madras, and Bombay, must file a copy of his license in the civil court of the district. Failing the production of an attested copy of such license, he cannot 'have or maintain any civil action or proceeding '(other than in the nature of appeal) against any person whom-'soever, in any court of civil jurisdiction within the British ter-'ritories in India;' and proof being given to the court that such license does not exist, or is defective, 'such British subject shall 'thereupon be nonsuited.'

5. Such license must be for a particular place named; nor must your 'free-born Englishman' move from such place, even into an adjoining district, without further leave.

6. An Englishman found beyond ten miles of a principal settlement, without license, may be seized, imprisoned, and sent within his bounds by the meanest retainer of the government.

7. An Englishman is prohibited from being concerned, directly or indirectly, in the great *inland trade* in salt, betel-nut, tobacco, and rice, on pain of forfeiting the goods he is thus said to be illegally dealing in, and 'treble the value thereof.' The origin of this silly and mischievous law is curious enough. The Company's own servants, shortly after their conquest of Bengal, had monopolized the articles in question; and the injustice and extortion practised by them of course ruined the trade of the country. For this good and sufficient reason, Englishmen not in the service of the Company, and therefore without the power of committing such abuses, are excluded from dealing in them for ever after!

8. An Englishman may not manufacture opium nor salt, two of the staple products of India. With respect to the latter, he is not allowed to deal in it directly, even within the limits of the jurisdiction of the king's courts.

9. 'An Englishman,' to use the words of the author of the Appeal, 'may not settle, colonize, invest his fate or his fortune 'in the soil of India. He must not hold or farm lands without 'the limits of the towns of Calcutta, Madras, and Bombay. This 'is the great and standing law of the land, enacted in 1793, and 'confirmed again and again by the Company, who regard this 'and the power of summary deportation as the corner-stones of 'their existence.'

10. Englishmen in India are forbid from meeting in public bodies, without leave of the Company's servants, and unless the object of the meeting be *agreeable* to the servants in question.

11. Englishmen in India are deprived of jury trial in all civil cases whatsoever.

12. Englishmen in India are deprived of the liberty of the press. No man in Bengal can print or publish, or cause to be published, periodically, any paper whatsoever, in any language or character whatsoever, containing, or purporting to contain, public news and intelligence, or strictures on the measures and proceedings of government, or any political events or transactions, without license. Such license may be recalled without any cause assigned. If any person shall print as above without license, he shall be liable for such offence to a penalty of L.40, at the discretion of two stipendiary magistrates appointed by the Company, and removable by them at pleasure. If he cannot pay the forfeiture and reasonable costs, he shall be sent to the common jail, there to remain for a period not exceeding four months. 'If any person shall knowingly and wilfully, 'either as a proprietor, or as agent, or servant of such proprie- 'tor, or otherwise, sell, vend, or deliver out, distribute, or dis- 'pose of; or if any bookseller, or proprietor, or keeper of any 'reading-room, library, shop, or place of public resort, shall 'knowingly and wilfully receive, lend, give, or supply, for the 'purpose of perusal, or otherwise, to any person whatsoever,' any political paper published without license, or after the recall of a license, such offender is to be fined to the same amount, and by the same authority.

13. An Englishman residing in India has not the slightest share in, or the remotest influence upon, the government, to the maintenance of which he so mainly contributes with his money, labour, and enterprise. He has not so much even as a voice in the nomination of a *scavenger* in the towns of Calcutta, Madras, and Bombay, although strictly colonial possessions of the crown.

Contrary to the spirit and example of all British institutions, and to the principles of all good government everywhere, the East India Company rapaciously seizes the municipal revenues and the municipal appointments, and makes a job of both.

14. If an Englishman, on his return home, shall bring any suit or action against the East India Company, or any of their servants, 'for the recovery of any costs or damages, for the un-'lawful taking, arresting, seizing, imprisoning, sending, or bring-'ing him into the United Kingdom, the defendants may plead 'the general issue, and proof shall lie on the plaintiff to show 'that he was *lawfully* in India.' In failure of such proof, the free-born Englishman shall be non-suited, and pay 'treble 'costs, any law, statute, or provision to the contrary notwith-'standing.'* The very law of this land is here expressly set aside, to protect the East India Company in their evil-doing!

Such is a brief detail of the disabilities of those persons whom the East India Company now desires further to humiliate and oppress, by subjecting them to the same system of capricious taxation to which they have subjected their Indian hewers of wood and carriers of water.

The Company, indeed, solemnly assures us, that such restraints as we have now described, are indispensably necessary to the 'maintenance of good order'—the protection of the government from 'hatred and contempt'—the maintenance of 'respect for 'the European character,' (in the very moment that their whole influence and power is employed in degrading it,) and the very 'safety of our Indian Empire.' They are extremely useful, in our opinion, in maintaining the East India Company's monopoly of power and patronage; and for every other purpose they are pernicious and hateful. They are, in fact, a disgrace to British legislation, and a dishonour to the statute-book; and, if only for their evil example to other portions of our dominions, so foul a blot on the constitution should not be permitted to exist in the remotest or most insignificant dependency of the Empire.

Our readers will naturally conclude, that enactments so highly penal, extravagant, and impolitic, cannot, with any regard to common decency, although frequently converted into instruments of oppression, be very rigidly enforced. And such, in a good measure, is the case—in Bengal, at least, the most opulent and prosperous portion of our Indian dominions. More than one-half of the British inhabitants of the Bengal provinces, unconnected with the service of his Majesty, or the East India Company, are,

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* 53 Geo. III. cap. 54, sect. 123.

at this moment, residing there without license—that is, benefiting the state, and contributing most materially to the revenue of the Company itself, *unlawfully*. Among those offenders have been seen merchants of the first respectability, eminent lawyers, and even popular candidates for the East India Direction. The late Marquess of Hastings, to his honour, was a flagrant violator of these laws.* He gave without scruple free permission to reside in the country, to every person of respectability that asked for it; and this was one among several liberal acts of his government which brought him into discredit with the Company. We fear much that Lord Amherst has also been pursuing the same course of profitable illegality to the state, for which, no doubt, he will incur the censure of the Directors, and the praise and approbation of every one else. At Madras and Bombay, where of late there have been no independent noblemen as governors, but 'the elect' of the Company itself, the letter of the law is rigidly enforced; and this is one grand and obvious cause of their inferiority. In Bengal there are 2500 independent Europeans, to give life and animation to its industry and commerce. To perform this useful task at Bombay, there are 274; and in the larger territory of Madras, only 92! The commerce of the single port of Calcutta is in proportion of four to one, to that of the fifteen ports of the Madras and Bombay territories. Bengal had no foreign trade until it knew Europeans. The ports of the Malabar and Coromandel coasts had a foreign trade for ages before Europeans passed the Cape of Good Hope. The native inhabitants of Bengal still continue unenterprising. The maritime inhabitants of Malabar and Coromandel are even now the most enterprising of all the Indians. Europeans, therefore, have done everything for Bengal, and they have been prevented *by law* from benefiting the other more improvable portions of our territory. This is a tolerable commentary on the laws enacted by or through the influence of the East India Company, for 'the 'prosperity and safety of our Indian Empire!'

It is our clear conviction, that it is the duty of Parliament to resume, if in reality it has ever conferred, the unconstitutional power which is now claimed, and arrogantly claimed, by the East India Company, and to exercise, directly and unequivocally, its

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* The East India Company, jealous of trusting its patronage even in the hands of its own governors, contrived to get an enactment passed, making it unlawful for their government to sanction the residence of any British inhabitant in India, without their own special license.—53 Geo. III. cap. 54, sect. 37.

legitimate prerogative of taxing British subjects, who are deprived, from their situation, of all other legitimate representation. The nation and the legislature may be assured, that it is not in the breast of any class of the people of this kingdom, in whatever portion of the globe it may be their lot to reside—not even of those who have lived long in the infectious climate of India, to submit quietly to a surrender of their birthrights, and, above all, to a surrender of them to a power so equivocally constituted as that of the East India Company—into hands so interested, so suspicious, and so invidious. The East India Company will no doubt manifest great impatience of the forms, restraints, and, above all, of the public discussion, by which the passing through Parliament of any law to tax any portion of '*their subjects*' must be accompanied; but of what consequence is their impatience, compared to their arbitrary precipitation? Even such an allegation, impertinent as it is, would have little foundation in truth. The Indian local governments are at present debarred by statute from imposing any tax whatsoever without the consent of the authorities at home; that is, they must send their regulations to England, and wait until they are approved of by their masters. Such being the case, they may just as well wait for the constitutional approbation of Parliament, as the unconstitutional approbation of the Directors and Board of Control. We repeat it, it will do them great good to wait for legal authority, and they should be made to wait.

We feel ourselves in justice bound to state, that during the whole of the extraordinary measures pursued by the government of Bengal respecting the Stamp regulation, as recorded in this article, the Governor-general, Lord Amherst, was 1500 miles distant from the seat of government, and with him by far the ablest of the public functionaries. Had his lordship been present, he would in all probability have readily granted the respectful and moderate prayer of the inhabitants of Calcutta; at least such a concession would have consisted with the liberality, moderation, and genuine British feeling, which have distinguished his lordship's administration far beyond that of all his predecessors, not excepting even Lord Hastings himself. Opposite councils, however, prevailed at Calcutta. Taking advantage of his lordship's absence, and unrestrained by his example and authority, the old monopolists of place and power relapsed into all the habitual arrogance of an antipopular government, giving full swing to their silly alarms, and carrying fiercely into practice their vicious and exploded doctrines, as if they had been the very dictates of absolute wisdom. We shall edify our readers with two or three samples of their proceedings.

The heinous practise of 'interloping,' or at least that modification of the offence which consists in an Englishman's exercising the power of locomotion, by going from one British district to another, 'in the prosecution of commercial speculations,' or for the temporary purpose of disposing of investments of goods without permission, was solemnly, and without loss of time, denounced in the public gazette, and the provincial officers called upon to exercise their authority, and stay the pestilence which thus appeared to threaten the British power in India! The public press, however, became the especial object of persecution. Lord Amherst, on his first arrival in India, was, through evil counsel, seduced into one mistake on this subject: But exercising afterwards his own better judgment, guided by the feelings and principles of a British nobleman, and the citizen of a free state, no cabal or persuasion ever seduced him into a second. Ever after, while his lordship was present in Calcutta to protect it, the press enjoyed a freedom unknown to it for forty-four years, and experience showed, as it had done before, that that freedom was as safe as it was beneficial. One example may be mentioned. A few months before his lordship's departure for the upper provinces in 1826, his public character, on his then expected removal from office, was scrutinized with great freedom in one of the public prints. The noble lord was *counselled* to 'vindicate his honour,' by making a Turkish example of the recreant writer. But his lordship felt that his honour needed no vindication, and could not be persuaded to defend it by Indian devices—and he bade the scribe write on! The reward of this magnanimity, (for, considering the examples he saw and the contaminated air he breathed, it was magnanimity,) was an accession of public respect, affection, and confidence. But his lordship's back was hardly turned on his intended visit to the provinces, when a public journal was suppressed, for some remarks on a secretary's letter, republished from an English newspaper. This man's prospects and property, in short, were destroyed, because he had the folly not to consider the reasoning of a public officer satisfactory, or his diction pure English! A few months afterwards, a second journal was suppressed for no offence at all, (for this is law in Bengal, as may be seen from the extract of an Indian ordinance which we have already quoted,) or at least for none that any human being could distinctly point out, although it was shrewdly suspected that the true cause was the editor's considering the Stamp regulation as not an infallible specimen of just and appropriate legislation.

It may not be much out of place here, especially since we may not soon have another opportunity, to say a few words on his

lordship's conduct of the Burman war—from natural and inevitable obstacles, (certainly not from the courage of the enemy, for they appear to us to have been the next thing to poltroons,) the most difficult contest which the nation ever waged in India, and the subject of much loose invective at home. The war, as it appears to us, was unavoidable; or, at least, could only have been put off for a time by a temporizing conduct on our side; neither politic, respectable, nor, in the long run, profitable. This opinion is explained by the following short statement.—It is equally curious and instructive to hold in mind, that the last restoration of the Burman empire, and the foundation of ours in India, were exactly contemporaneous. Clive and Alompra made their conquests at the same moment; and, for the period of near seventy years, the English and Burmans pushed their respective conquests, or diplomacy, until they at last *met* on the wretched and unprofitable field of contest which lies to the eastward of Bengal. The Burmans, as arrogant and vainglorious at least as ourselves, flushed with easy victories over their miserable neighbours, and utterly unaware of their comparative weakness, had for forty years, when the angry collision first began, been anxious to try their unequal strength. An example of lasting friendship between rivals so circumstanced is not to be found in the page of history, among any portion of the human race. Forbearance in the more prudent party might put off the evil hour for a day, but would, after all, have only the effect of aggravating the insolence and encroachment of the other, especially if that other (as was here unquestionably the case) should be a barbarous, vain, and ignorant people. The immediate cause of quarrel is of no great consequence; for when a quarrel is sought, little is wanted to bring it on, not to say but the actual seizure of an island, however barren, an arrogant demand for some of the richest and oldest provinces of our empire, with a torrent of dishonest words, are just as respectable a subject to waste blood and treasure about, as the matters which, for two centuries back, have led to the longer and more wasteful wars of the civilized nations of Europe. Whatever the causes of the quarrel, or the necessity, or otherwise, of the Burman war, it is certain that the Earl of Amherst had little share in them. For months before his arrival, the Indian government was fully committed to a war with the Burmans, measures having been pursued which could not be receded from with credit; and little, therefore, remained for his lordship, except the formality of a declaration. For the conduct of the war his lordship is, of course, as much answerable as a civil officer can be. A heaven-born military genius, such as art and experience made Napoleon or Marlborough, might have made a more efficient

Governor-general for the particular occasion: But, as the chance of meeting such a phenomenon in civil life is not great, we willingly acquit his lordship of blame for errors in military detail, and feel rather disposed to lay that blame on those who placed incompetent advisers about him—advisers in whose selection he really had no share, and whom it was not in his power to displace for better. We may also observe, that we have scarcely ever entered on a new field of war or conquest in India, without committing gross blunders. Flagrant ones were committed in those of Warren Hastings, of Cornwallis, of Wellesley, and even of the Marquess of Hastings. If all this took place in contests conducted within arm's-length of our resources, similar ones may be reasonably looked for in our strange and remote war with the Burmese. This much we have thought it right to say, in answer to a good deal of misrepresentation, and a great deal of misunderstanding.

In concluding, we think it right to explain why we have not extracted more largely from the work of which we have placed the title at the head of this article, and from which, we acknowledge, that we have drawn a large part of our information. Our object certainly has been anything but unfriendly towards the author; and we hope will not appear unfair to our readers, having been grounded chiefly on an unwillingness to injure the effect of his luminous reasonings by partial citations, or to discourage the reader from perusing them in their entire and unbroken connexion, by what we felt must at all events have been but an imperfect account of them. If what we have now said should excite any interest or anxiety on the subject, we are persuaded that all in whom such a feeling has been raised will ultimately be thankful to us for having referred them for the details to his very agreeable and instructive pages.

ART. VIII.—*The Songs of Scotland, Ancient and Modern; with an Introduction and Notes, Historical and Critical, and Characters of the Lyric Poets; by* ALLAN CUNNINGHAM. 4 vols. Taylor, 1825.

THE advocates of Utility have long been in the habit of decrying Poetry, and have lately renewed their attacks on it with increased bitterness and vehemence. They have discovered, it seems, not only that it is of no earthly use, but that it actually does a great deal of mischief—induces us to disregard truth and admire falsehood, to indulge in exaggerated sentiment,

and to weaken the authority of reason over passion and imagination. As to its positive evils, we believe we need not concern ourselves much: But there are many people who really seem to think that it must be acknowledged that poetry is of no use—and consequently that, if at all to be tolerated in an industrious community, it ought to meet with no encouragement, and be treated with no respect. The short answer to this is, to ask what is here meant by 'being of use,' and whether anything that gives *pleasure*, may not properly be called useful? Unless we are to stop at the mere necessaries of life, it would be difficult to dispute this; and, after all, if life itself was not a *pleasure*, the utility even of its necessaries might very well be questioned. Even the rigorous definition of the proper object of all virtuous exertion, according to the utilitarians themselves, viz. the greatest happiness of the greatest number—obviously involves the consideration of pleasure and enjoyment; and makes this enjoyment, as indeed it truly is, the measure and test of utility. In what sense then can it be said that poetry is of no use to mankind—if it is admitted that it affords the most intense delight to great multitudes among them, and has always been recognised as a copious and certain source of enjoyment, in all conditions of life, and all stages of society? The only replication must be, that the pleasures it brings are accompanied by greater pains, or that the pursuit of them leads to the neglect of higher duties, or, what is the same thing, to the exclusion of still greater pleasures. We do not think, however, that this can be even plausibly pretended; and we do not observe that the champions of utility have ever seriously taken that ground. The truth is, that their irreverence to the Muses is much more a matter of habit and feeling with them than of reasoning; and though attired occasionally in logical forms, proceeds in the main from mere prejudice and ignorance.

It frequently happens that circumstances direct the mind to the contemplation of truth in opposite directions. The faculties of men are practically developed in the exercise of their various pursuits, and the whole force of their intellect is generally exhausted in limited and particular investigations; and this necessarily detracts from their power of judging of arts and sciences alien to their own. It is thus that the great value placed on mathematical studies becomes not unfrequently a subject of doubts to a theologian or a moralist; while the excellence of poetry or art is questioned in its turn, by the utilitarian or the legislator.

In all probability, it is with the mind as with the body—some limbs or sinews are occasionally kept in severe exercise, to the

utter neglect of the rest; and the consequence is, that the one set gains strength and flourishes, while the other has a tendency to weaken or decay. Thus the Reason of some men is cultivated to the utter extinction of the Imagination; though it is but fair to suppose that the latter faculty was bestowed upon us for *some use or purpose*, equally with the former—the only question is, how to employ it profitably.

The motives which tempt a mere reasoner, a mathematician, or political economist, to abase the character of poetry, are, it must be allowed, as obvious as those which induce a writer of verse to exalt it. There is no sympathy with its pleasures in the one, while there is an over-wrought and interested admiration in the other. The former cannot be said, indeed, to be absolutely without the faculty of imagination, but it may be averred that he possesses it in a latent or undeveloped state; and we suspect that he cannot *thoroughly* understand the operations of a power which he himself has never individually felt. He sees only the ultimate consequence, without witnessing or experiencing the progress of the idea in the mind. He perceives what the imagination *has* produced, but is unable to judge of the impulse, or to speculate, otherwise than imperfectly, upon what it may produce hereafter.

Leaving the question however, as to what this faculty may cause to be produced, or what a great poet *may* do, who shall task his powers to the uttermost, or wait patiently and sincerely for the illuminations of his imagination, it is enough to affirm that it *exists*. It is a POWER (and no mean one) not to be despised or neglected, but to be cherished and *used*, like any other power, for purposes beneficial to mankind. The most inveterate utilitarian would hesitate, we apprehend, to yield up any one nerve or fibre of the human frame, however useless it might, at first sight, appear to him to be. He would calculate wisely on the chance of its becoming at one time or other serviceable, and would be not without some misgivings as to the fallibility of his own particular opinions. Why then should the Imagination (a subject at least as mysterious and important) be entitled to less consideration than a nerve or a sinew? 'It is a folly,' as Montaigne thinks, 'to measure truth or error by our own capa-'city;' and we think so too.

As, therefore, the Imagination is an existing power,—as it has given birth to numerous works, some of which have had a prodigious effect upon the habits of thinking, and even upon the moral conduct of men,—it is not the part of a philosopher (however little he may be under its influence) to despise it. It is to be used or misused, but not neglected nor contemned; for it can

no more be extinguished than the mind of man. Ethical and political philosophy and mathematics are now held to be the master sciences; and unquestionably they are most important ones. But there are other arts and sciences nearly as important, some of which are connected or collateral with those now mentioned, and some which may be said to be altogether independent of them. Amongst the first or collateral arts, must undoubtedly be reckoned POETRY. It is, in the words of the great philosopher, 'subservient to the Imagination, as Logique is to the 'Understanding;'* and its *office* '(if a man well weigh the mat-'ter) *is no other than to apply and commend the dictates of Reason 'to the Imagination, for the better moving of the Appetite and the 'Will.*' Being an ally of reason and logic, therefore, as Lord Bacon says, it should not be treated as a foe, nor despised as a thing insignificant.

If man were merely an intellectual being, subject only to be influenced by pure reason, there might be some ground, perhaps, for maintaining that poetry was, strictly speaking, useless. A code of laws might then probably be framed excluding this delightful art from the commonwealth of letters, and substituting we know not what intellectual pleasure in lieu of it. But this most certainly neither is, nor can ever be, our condition. We are not Houyhnhnms, but men; and we must seek the gratification, as well as guard against the abuse, of all the faculties with which we are actually gifted. In the formation of a system, a wise man will consider what *has* been, as well as what *may* be; for wisdom is little else than a synonyme for experience, and the future must always be built up from the past. It is desirable, therefore, to consider not only the value of the qualities with which we propose to endow any creature, but also the capacity of the creature to receive them. What should we think if some philosopher from the Ottomaques, or some follower of Brahma, should come hither, and insist—the one, that it would be more nutritious, the other, that it would be more virtuous, if we were for the future to feed upon pipe-clay mixed with oxyd of iron?† We should scarcely respect even the zeal of one of our Christian missionaries, were he to attempt to extend the benefit of the Scriptures to any of the tribe of *Simia*, the Chimpansé, or the Pongo. It is true, that there is not so great a distinction amongst men as between men and mere animals; yet the difference between the white race and the other varieties of the human species, is

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* Lord Bacon's *Instauratio Magna*, lib. vi. c. 3.
† Humboldt, *Tab. Phys. des Régions Equatoriales.*

greater than can be accounted for by climate or accident. Nay, amongst ourselves, distinctions are very obvious. We are not all mathematicians, or philosophers, or moralists, or poets. The human mind has certain defects, (so called,) and is liable to extraordinary changes. Its transitions, from vice to virtue, from equanimity to despair, have astonished all but the most profound philosophers. It is, in truth, made up of good and evil impulses; of faculties which employ themselves in poetry and prose,—in other words, of *Imagination* and *Reason*, &c.—it is full of affections, of passions, of powers, infirmities, and errors of all sorts, which are to be combated with and *directed*, but can never be altogether extirpated. It has its springs and movements which obey the warnings of reason, and others which are subject to the 'skiey influences' of poetry; and these act sometimes independently, sometimes in unison with each other. The object of Logic (which is the voice of reason) is to act for good purposes upon the intellect. The end of Poetry is, '*to fill the Imagination* '*with observations and resemblances, which* MAY SECOND REASON, '*and not oppress and betray it;* for these abuses of arts come in 'but *ex obliquo*, for prevention, not for practice.'* All this being the case, it seems that all speculations for putting down poetry must necessarily be vain and useless. They are formed, perhaps, for man as he ought to be; but certainly not for man as he is. They are, in short, like that Dream of Plato, which has been a dream and nothing more for two thousand years. That celebrated Greek denied admittance to a poet in his ideal republic; and his republic has remained ideal.

In addition to all this, it may be further argued, that there are certain gradations in society which require different employments. There are the rude, the civilized, and the luxurious or refined. The human mind in one state cannot digest what it is eager for in another. In rude society, the mechanic and agriculturist are the most important characters. Afterwards, the legislator and the moralist insist upon precedence; and, finally, the poet is elevated into renown. If, after all, it be asked, what is the most important science? the answer is, probably,—*all.* It is not sufficient to say, in opposition to the claims of the poet, that the state of refinement is the most unnatural, or that poetry is a luxury and a delusion only, and consequently little better than a vice. For luxury is bad only, in so far as it injures the moral constitution of a people. Poetry, perhaps, may be considered as a luxury—we shall not dis-

* Lord Bacon's *De Augmentis Scientiarum.*

pute about terms; but so are all the products of all the arts and sciences. Our very houses are a great luxury, and all that they contain—and most of our food and our dress also. There is not a single comfort that we enjoy which is not liable to this imputation. We have all something beyond what absolute necessity requires.

——— 'Our basest beggars
Are in the poorest things superfluous.'

But shall we therefore abandon every luxury, every comfort? There is, we think, at least as much of vice and folly, in spurning at the beneficence of Nature, as in receiving the gifts which she bestows on us, readily, and using them with discretion.

Poetry, then, is not to be reprehended as a pernicious delusion, till it is proved that its general purposes are bad; and certainly, this is not generally true, but the reverse, inasmuch as it exhibits for the most part a high standard of perfection, and puts forward illustrious examples of worth and courage. And yet these, although they soar perhaps a little beyond the level of ordinary minds, do not rise above *some* instances of excellence, which the history of the world has afforded. We read of no one, in tragedy or epic, who has surpassed Phocion or Aristides, —Cymon, or Brutus, or Timoleon,—Socrates or Solomon,— Alfred, Shakspeare, Bacon, Sir Philip Sydney, or Bayard, in their several ways, for virtue or intellect, or noble disinterested heroism. It may be asserted, indeed, after all, that poetry is no more a fiction, than are certain maxims of law and state, which have been engrafted on the severest and most practical of the sciences, in order the better to enforce or illustrate some of their most important doctrines. Nor is it more a delusion— even when it holds up a picture of ideal excellence—than any prose Atlantis or Utopia, which has been devised, not only to increase our admiration of virtue, but for practical and direct imitation. Nay, might not the same charge be brought against any scheme of moral and political good, which might be drawn out for the benefit of mankind at the present moment—a state of things desirable, it may be, for a moralist or legislator, but as utterly unadapted, *in its whole extent*, as poetry itself, to the passions and affections of human nature? Doubtless such a scheme would contain in it many elements of wisdom; much of what is good, and much of what is prudent; and so also does poetry. But there is probably *another* aspect to the science, as well as to the art; in which some blemishes may be detected, and some maxims, which, when reduced to practice, might put to confusion the supporters of the theory.

It is not often that the mind addicts itself, for any length of

such an account as he has written of the degenerate house of Stuart. The truth is, that there is often as much of fiction in history as in poetry, without the sincerity of the fiction being apparent. It has been said, to be sure, that the characters of the former are 'real,' and therefore '*instructive*,' while those of the latter afford merely amusement. But are the characters of history sufficiently perfect to tempt us to imitation? We fear not. Neither is the moral effect (except in very rare instances) so obvious as in the latter case, where the cause and the consequence, the 'bane and the antidote,' are both before us, displaying, for our edification, the natural progress of individual history,—the temptation, the crime, and the punishment. Fiction, it is true, is, (as its name imports,) in a certain sense, less 'real' than history; that is to say, it goes more beyond common every-day facts; and it is not without intention that it does so. It is like a lofty mark, which we cannot strike without discipline and exercise. Were it easy to touch, and only of the ordinary height, its object would altogether be lost.

Poetry, so far as it enervates the mind, is assuredly injurious. But it generally *stimulates* the mind; and whether it stimulates it to good or ill must depend upon the individual qualities of the poets themselves. It may be argued, indeed, that there is no need of *any* impulse; but we suspect that the moral, like the physical constitution, requires stimulants at least as often as sedatives. That these stimulants almost invariably impel the mind to error, (for something like this is asserted,) is a maxim founded upon partial instances and replete with untruth. We deny that it is so. In fact, so far as we can collect instances of poetry having been brought in to participate with politics, there have always been two bands of partizans, as well as two sides, to the question at issue. If there has been a phalanx of rhymers on the one side, there has always been a battalion of poets on the other. Some of the greatest names in our literature shine equally as patriots and poets, and most of them have belonged to writers who have done what they could to discountenance hypocrisy and ward off oppression, whether on the part of the king or of the aristocracy. Let us recollect the characters of only three great men amongst our poets, Milton, Marvel, and Pope, and hasten to rescind so unqualified and unjust a judgment.

If poetry be bad and useless in its principle, it must necessarily have been so always; for it is not subject to change, being founded on certain established principles which are beyond the influence of fashion and caprice. In that event, the great works of Shakspeare must be set down as useless and bad, as well as all the parables of the Bible; all fiction, all dialogue, (except

such as has actually occurred,) all illustration, all the satires of Juvenal and Pope, of Cowper and others, against vice and folly; many of the didactic writings of the poets; and all fables, even the most moral. So it appears to those who are merely logicians, and on whom an image makes less impression than an axiom. They deny the utility of poetry, by asserting that whatever of good it has produced, might have been produced equally well or better in prose.* But this never *has* been done hitherto; and it is by no means clear that the mind which has thrown out certain ideas in poetry, could have done as much in prose; for the impulse, which occasioned it so to shape those ideas, would have been wanting. There are certain minds which naturally exercise themselves in poetry, and delight in it, and can only get at their best ideas by means of imagery and association, as others do by calm meditation or methodical inference. So also there seem to be corresponding intellects, which can only perceive the beauty of truth and virtue, or feel the wretchedness of guilt, when their imaginations had been roused by the power of poetry, or wrought upon by the stimulating example of fiction.

Considered even as an unobjectionable *amusement*, poetry keeps up our intercourse with hope and pleasure; it brightens the spirits, and improves and enlarges the heart. Though pent up in smoky rooms, and tasked to irksome employments, we yet live out of doors with the poets, among leaves and flowers—and balmy winds and azure skies. We wander through trackless woods, beneath oaks and branching elms, 'star proof.' We lie down by sparkling fountains, and listen to the voice of murmuring rivers, and forget our cares and ills, the pains of sickness, and poverty, and neglect, in the unchequered beauty of a delightful dream.

Neither is the relapse hurtful; for our visions are never (in the injurious sense) delusions. We do not believe in the actual existence of the things which pass thus soothingly across the surface of our imagination. We feel that they are resemblances, not falsehoods; and these are just sufficient to abstract us awhile from the realities, to which we return refreshed by an excursion into the wilderness of thought; not fatigued and disappointed, as we might have been, had we reckoned upon the permanency

* The converse of this proposition is frequently true. 'Even our 'Saviour could as well have given the moral common-places of uncha-'ritableness and humbleness, as the divine narration of Lazarus and 'Dives; or of disobedience and mercy, as the heavenly discourse of the 'lost child and gracious father; but that his thorough-searching wisdom 'knew that the estate of Dives burning in hell, and of Lazarus in Abra-'ham's bosom, *would more constantly*, as it were, *inhabit both the memory* '*and the judgment*.'—*Sir P. Sydney's defence of Poesy.*

of the delight. They form, in fact, a wholesome cessation from our reasoning habits, like sleep, or a quiet landscape; but enjoyed when sleep will not come to us, and when there is no beauty of landscape actually near, to relieve the fatigue of our brain, or induce pleasurable and gentle emotions.

But Poetry has been always something *more* than a mere amusement. It was through the channels of poetry that much of our knowledge originally came; and, as Sir Philip Sydney has said, 'they go very near to ungratefulness, who seek to deface 'that, which in the noblest nations and languages that are 'known, hath been the *first* lightgiver to ignorance, and first 'nurse, whose milk, by little and little, enabled them to feed 'on tougher knowledge.' It was the habit of association, which forms a principal part of the complex faculty of the imagination, that may be said to have led to various discoveries in science, and to have furnished Bacon with his luminous illustrations in philosophy. These advantages must not be forgotten: neither must the good effect of poetry upon the memory be passed over; the more especially as Mr Bentham himself has afforded us some evidence on that point. We cannot deny ourselves the pleasure of republishing the poetry of so formidable a coadjutor; who has practically testified to the 'utility' of verse, by actually composing three couplets; for the purpose, as he states, of '*lodging more effectually in the memory certain points* '*on which the whole fabric of morals and legislation may seem to* '*rest.*'*

There is one more point which we would fain remark upon, before we quit this part of the subject. It is said that, in the pursuit of the severer Sciences, certain '*ideas*' may at least be

* In Mr Bentham's valuable book on *Morals and Legislation*, under chapter IV., which bears the title of 'Value of a LOT of PLEASURE 'or PAIN, how to be measured,' he says, that to a person considered *by himself*, the value of pleasure or pain, considered *by itself*, must be measured according to—1st, Its intensity; 2d, Its duration; 3d, Its certainty or uncertainty; 4th, Its propinquity or remoteness. And in a subsequent edition, he adds the following note:—'Not long after 'the publication of the first edition, the following memoriter verses 'were framed, *in the view of lodging more effectually in the memory these* '*points, on which the whole fabric of morals and legislation may seem to* '*rest*:—

Intense, long, certain, speedy, fruitful, pure,
Such marks in *pleasures* and in *pains* endure.
Such pleasures seek, if *private* be thy end:
If it be *public*, wide let them *extend*.
Such *pains* avoid, whichever be thy view:
If pains *must* come, let them *extend* to few.'

Edit. 1823, p. 49.

gained, to recompense the student for his labours; while it is insinuated, that no such compensation is yielded to the follower of Poetry. We must deny this altogether. It is as much an 'idea,' and an idea as valuable, to gain a knowledge of the movements of the human mind,—to see how it is affected by certain causes, and how it adapts itself to various contingencies,—to contemplate it when under extraordinary depression, or when lifted to a state of perilous excitement,—as to calculate the expense of provisions, the progress of population, the advantages of a division of labour, or the possible benefit (or otherwise) of certain political institutions. The object of poetry, as well as of prose, is to spread abroad the knowledge of our age,—to transmit the accumulated wisdom of foregone ages to the world around us, and to the times to come. They are not two combatants in one arena, with weapons necessarily opposed to each other, in order to secure self-preservation, or some definite reward, which cannot be shared between them. They were both born and brought to light to dispel ignorance, and contend with tyranny and abuse,—to stand up, hand in hand, true champions and assertors of '*the Right*,' for the glory of truth and knowledge, and the undoubted benefit of all the human race.

Notwithstanding these things, and notwithstanding all that has been felt and expressed on behalf of this eminent art, we are now called upon to despise it! The world has lasted six thousand years: it has had, amongst its millions and millions of generations, some few who have soared above the rest, and become marks for the admiration of their fellows,—whose object has been undeniably good, and whose prodigious intellect is beyond question greater than that of any writer of our existing time. These men have hitherto been held to be the benefactors of mankind. They have led them into the temple of philosophy, and there given them wholesome instruction. They have directed them to the exercise of every virtue; and such as have obeyed their high lessoning have themselves become good and distinguished. They have held before these their followers the mirror of truth (of 'truth severe, in fairy fiction dressed') —have placed before them illustrious examples. They have incited them to gallant deeds—have given them delight in peaceful times, and have soothed them in times of pain and sorrow. And now we are told that all this is nothing, or worse than nothing,—and by whom? By those who maintain that knowledge and moral training are the only true blessings of mankind!

There is assuredly much of what is vicious, and more of what is ridiculous, in the world; and all that is decidedly bad should of course be amended. But whether it be well to make a wreck of *all* that has so long been held valuable and graceful, in order

to insure a certain portion of doubtful good, is at least worthy of consideration. The question is—whether Poetry and Art, whether all that touches our sympathies and operates upon our affections, should be rooted up and exterminated, like some long-established evil, or wide-spread disease? For our own parts, we think *not*. We think that they should be permitted to remain; or rather, that they *will* and *must* remain, and flourish, in despite of all prophecies and opinions to the contrary. Can it, in truth, be ever otherwise, so long as hope and ambition, our love of the beautiful, and our sense of the sublime, remain integral portions of our nature?

We owe something, surely, to our Imagination, which has yielded us such frequent delight, as well as to our reason; and we owe yet more to the grand and lofty spirits who have trod the earth before us, and have died, leaving behind them the imperishable records of their glory. Those immortal writings, dictated by the Imagination to poets in their happiest hours, bear upon them the impress of an amazing intellect. They bring forward, for our instruction, all the varieties of man, setting forth, in the colours of truth, his virtues and vices, his strength, his weakness, his obduracy, his pity, his inconsistencies, and follies of a hundred hues, which are nowhere else so completely marshalled and pourtrayed,—and to show which, and the consequences of which, equally well, the whole region of literature may be traversed, and all the stores of history and philosophy ransacked and compared in vain. And is all this of so little value, that to have done it should entitle the doer to the contempt of his fellows? Is it *indeed* a fact, that Shakspeare and Homer, that Chaucer, Dante, Milton, and the rest, have lived for no purpose but to be an idle sound? Was all their wisdom, all their wit, indeed empty, contemptible, and useless? Are the great moral pictures of Macbeth and Othello, of Satan, and Timon, and Lear, and all that illustrious array of characters, *nothing*—but only shadowy and unprofitable illusions? Is there *nothing* real in their texture—nothing of what is good or useful in their histories? Is the philosophic vein of Hamlet worn out or become base? And has his intellectual stature shrunk and fallen below that of every puny logician? Or—is it not, after all, that the opposing ideas of the utilitarians on these points are themselves groundless and illusory,—as inimical to true reason as the most extravagant and distorted metaphors of the tawdry rhetorician, and as difficult to be reduced to practice as the wildest dreams of the poet?

But we have detained our readers too long from Mr Cunningham and his Scottish Minstrels—so long, indeed, that we must

now dismiss them, we fear, with a very brief notice. It is an exceedingly agreeable, and to Scotchmen, in many respects, a very delightful publication. It consists of a very copious and eloquent dissertation upon the history and peculiarities of Scottish song in all its varieties, brief chronological characters of its most distinguished authors, and a large collection of specimens, accompanied by critical and historical elucidations. The author's part is chiefly remarkable for the warm and unaffected interest he visibly takes in the subject—his deep feeling of the beauties of his favourite pieces, and the natural eloquence of the commendations by which he seeks to raise kindred emotions in the minds of his readers. In other respects the work is far from being perfect. It is somewhat verbose; and sometimes too familiarly, and sometimes too ostentatiously written; nor can we always agree either in his particular criticisms, or in the principles on which they are founded. Mr C., though a man of genius undoubtedly, is neither very exact in his learning nor very profound in his speculations; and though he has a genuine relish for the golden relics of the antique time, and builds up his theories about them with abundant boldness and ingenuity, we suspect he has been more anxious to be striking than correct, and has not always been rigorously faithful in his edition of the relics themselves. We think, too, that with all his copiousness and eloquence, he has failed to give his readers a clear conception of what it is that truly distinguishes a Song from any other piece of poetry—a defect that may be imputed indeed to all who have treated of the subject. It is mere slang or pedantry, in modern times, to call songs lyrical compositions, or to say that anything is a song which is, or may be, chanted with music. All poetry, probably, was originally so chanted and accompanied; and hymns, and psalms, and solemn odes, are so at this day. But these are not what we now mean by songs; and the difference is not merely in the subject, but in the kind of poetry which they respectively employ. Alexander's Feast, or Gray's Bard, are not songs, in any sense which we now attach to the word; and they betoken and require a genius quite alien from that by which a song-writer should be inspired. A certain pathetic simplicity, a more intense individuality, something more spontaneous, artless, and lower pitched, belong to our conception of song; and constitute a species of poetry more sweet, tender, and delicate, perhaps, than any other, more universally popular too, and more fondly remembered—but at all events perfectly distinct and unlike any other. Mr C. has a right enough feeling, we think, of this peculiar character; but he has not described it very well, nor made it very intelligible to his

readers. We have no time, however, at present, either to supply his deficiencies, or to dispute the matter with him; but shall content ourselves with giving a few specimens of the force and spirit with which he engages in the discussion. After dwelling with amiable partiality on the greater love of music and song which belongs to our northern part of the island, he proceeds—

'Song followed the bride to the bridal chamber, and the corpse when folded in its winding-sheet,—the hag as she gratified her own malicious nature with an imaginary spell for her neighbour's harm, and her neighbour who sought to counteract it. Even the enemy of salvation solaced, according to a reverend authority, his conclave of witches with music and with verse. The soldier went to battle with songs and with shouts; the sailor, as he lifted his anchor for a foreign land, had his song also, and with song he welcomed again the reappearance of his native hills. Song seems to have been the regular accompaniment of labour: the mariner dipped his oar to its melody; the fisherman dropped his net into the water while chanting a rude lyric or rhyming invocation; the farmer sang while he consigned his grain to the ground; the maiden, when the corn fell as she moved her sickle; and the miller had also his welcoming song, when the meal gushed warm from the mill. In the south I am not sure that song is much the companion of labour; but in the north there is no trade, however toilsome, which has banished this charming associate. It is heard among the rich in the parlour, and among the menials in the hall: the shepherd sings on his hill, the maiden as she milks her ewes; the smith as he prepares his welding heat, the weaver as he moves his shuttle from side to side; and the mason, as he squares or sets the palace stone, sings to make labour feel lightsome, and the long day seem short. Even the West India slaves chant a prolonged and monotonous strain while they work for their task-masters; and I am told they have a deep sense of sweet music, and no inconsiderable skill in measuring out words to correspond with it.'

The following pictures are still more lively and attractive, and possess all the charm of absolute truth and fidelity, as well as great tenderness of feeling:

'But I have no need to seek in trystes, or meetings of either love, or labour, or merriment, for the sources of song: a farmer or a cottager's winter fire-side has often been the theme and always the theatre of lyric verse; and the grey hairs of the old, and the glad looks of the young, may aptly prefigure out the two great divisions of Scottish song—the songs of true love, and those of domestic and humble joy. The character of the people is written in their habitations. Their kitchens, or rather halls, warm, roomy, and well-replenished with furniture, fashioned less for show than service, are filled on all sides with the visible materials and tokens of pastoral and agricultural wealth and abundance. The fire is on the floor; and around it, during the winter evenings, the family and dependents are disposed, each in their own department, one side of the house being occupied by the men, the other resigned to the mistress and her maidens: while beyond the fire, in the space between the hearthstone and the wall, are placed those travelling mendicants who wander from house to house, and find subsistence as they can, and lodgings where they may.

The carved oaken settle, or couch, on which the farmer rests, has descended to him through a number of generations; it is embossed with rude thistles, and rough with family names; and the year in which it was made has been considered an era worthy of the accompaniment of a motto from Scripture. On a shelf above him, and within the reach of his hand, are some of the works of the literary worthies of his country: the history, the romance, the sermon, the poem, and the song, all well used, and bearing token of many hands.

'Around the farmer's dame the evening has gathered all her maidens whom daylight had scattered about in various employments, and the needle and the wheel are busied alike in the labours required for the barn and the hall. Above and beside them, all that the hand and the wheel have twined from fleece and flax is hung in good order: the wardrobe is filled with burn-bleached linen, the dairy shelves with cheese for daily use, and with some made of a richer curd to grace the table at the harvest-feast. Over all and among them the prudent and experienced mistress, while she manages some small personal matter of her own, casts from time to time her eye, and explains or advises, or hearkens to the song which is not silent amid the lapses of conversation. In households such as these, which present an image of our more primitive days, all the delights, and joys, and pursuits of our forefathers find refuge; to them Hallow-eve is welcome with its mysteries, the new year with its mirth, the summer with its sheep-shearing feast, and the close of harvest with its dancing and its revelry. The increasing refinement and opulence of the community has made this rather a picture of times past than times present; and the labour of a score of wheels, each with its presiding maiden, is far outdone by a single turn or two of a machine. The once slow and simple process of bleaching, by laving water on the linen as it lay extended on the rivulet bank, is accomplished now by a chemical process; and the curious art of dyeing wool, and the admixture of various colours to form those party-coloured garments so much in fashion among us of old, have been intrusted to more scientific hands. Out of these, and many other employments, now disused and formed into separate callings, song extracted its images and illustrations, and caught the hue and the pressure of passing manners, and customs, and pursuits.'

The following closes the dissertation:

'The current of song has not always been poured forth in an unceasing and continued stream. Like the rivulets of the north, which gush out into rivers during the season of rain, and subside and dry up to a few reluctant drops in the parching heat of summer, it has had its seasons of overflow, and its periods of decrease. Yet there have been invisible spirits at work, scattering over the land a regular succession of lyrics, more or less impressed with the original character of the people, the productions of random inspiration, expressing the feelings and the story of some wounded heart, or laughing out in the fullest enjoyment of the follies of man and the pleasant vanities of woman. From them, and from poets to whose voice the country has listened in joy, and whose names are consecrated by the approbation of generations, many exquisite lyrics have been produced which find an echo in every heart, and are scattered wherever a British voice is heard, or a British foot imprinted.

Wherever our sailors have borne our thunder, our soldiers our strength, and our merchants our enterprise, Scottish song has followed, and awakened a memory of the northern land amid the hot sands of Egypt and the frozen snows of Siberia. The lyric voice of Caledonia has penetrated from side to side of the Eastern regions of spice, and has gratified some of the simple hordes of roving Indians with a melody equalling or surpassing their own. Amid the boundless forests and mighty lakes and rivers of the western world, the songs which gladdened the hills and vales of Scotland have been awakened again by a kindred people, and the hunter, as he dives into the wilderness, or sails down the Ohio, recalls his native hills in his retrospective strain. These are no idle suppositions which enthusiasm creates for national vanity to repeat. For the banks of the Ganges, the Ohio, and the Amazons, for the forests of America, the plains of India, and the mountains of Peru, or Mexico, for the remotest isles of the sea, the savage shores of the north, and the classic coasts of Asia or Greece, I could tell the same story which the Englishman told, who heard, two hundred years ago, the song of Bothwell Bank sung in the land of Palestine.'

Of the characters which Mr C. has given of our song-writers, we can afford to extract but one, and that one must be of Burns. It is written with great warmth, and considerable eloquence; and though the subject is familiar, it can never, we think, be trite or uninteresting; while its very familiarity will enable a greater proportion of our readers to judge of the truth and merits of Mr C.'s description.

'A lyric poet, with more than the rustic humour and exact truth of Ramsay, with simplicity surpassing Crawford's, and native elegance exceeding Hamilton's, and with a genius which seemed to unite all the distinguishing excellencies of our elder lyrics, appeared in Robert Burns. He was the first who brought deep passion to the service of the lyric Muse, who added sublimity to simplicity, and found grace and elegance among the cottages of his native land. The beauty and the variety of his songs, their tenderness and truth, their pathetic sweetness, their inextinguishable humour, their noble scorn of whatever is mean and vile, and their deep sympathy with the feelings of humble worth, are felt by all, and acknowledged by all. His original power, and his happy spirit, were only equalled by his remarkable gift of entering into the characters of our ancient songs, and the skill with which he abated their indelicacy, or eked out their imperfections. No one felt more fondly the presence of beauty, could express admiration, hope, or desire, in more glowing language, or sing of the calm joys of wedded love, or the unbounded rapture of single hearts and mutual affection, with equal force or felicity. All his songs are distinguished, more or less, by a happy carelessness, by a bounding elasticity of spirit, a singular and natural felicity of expression, by the ardour of an enthusiastic heart, and the vigour of a clear understanding. He had the rare gift of expressing himself according to the rank and condition of mankind, the stateliness of matron pride, the modesty of virgin affection, the querulousness of old age, and the overflowing enthusiasm and vivacity of youth. His simplicity is the sim-

plicity of strength: he is never mean, never weak, seldom vulgar, and but rarely coarse; and his unrivalled power of clothing his thoughts in happy and graceful language, never forsakes him. Capricious and wayward as his musings sometimes are, mingling the moving with the comic, and the sarcastic with the solemn, all he says is above the mark of other men—he sheds a redeeming light on all he touches; whatever his eye glances on rises into life and beauty, and stands consecrated and imperishable. His language is familiar, yet dignified, careless, yet concise; and he touches on the most perilous or ordinary themes with a skill so rare and felicitous, that good fortune seems to unite with good taste in carrying him over the mire of rudeness and vulgarity, in which, since his time, so many inferior spirits have wallowed. His love, his enthusiasm, his devotion, his humour, his domestic happiness, and his homeliest joy, is everywhere characterised by a brief and elegant simplicity, at once easy to him and unattainable to others. No one has such power in adorning the humble, and dignifying the plain, and in extracting sweet and impassioned poetry from the daily occurrences of human life: his simplicity is without childishness, his affection without exaggeration, and his sentiment without conceit.

'The influence which the genius of Burns has obtained over the heart of Scotland is indeed great, and promises to be lasting. He alarms, it is true, very sensitive and fastidious persons, by the freedom of his speculations, and the masculine vigour of his mode of expression; but these are rather the casual lapses of the Muse, the overflowings of an ardent heart and unwearied fancy, and a love of vivid illustration, than a defect of principle, or an imperfection of taste. Like a fine race-horse, he cannot always stop at the winning-post; like a beautiful stream, he sometimes overflows the banks; and his genius resembles more a tree run wild, than one trimmed and pruned to decorate a garden walk. When speaking of his prospect of future fame to a friend, he said he depended chiefly on his songs for the continuance of his name; and his decision seems correct. Not but that I think, in all his earlier poems, he displays greater force and freedom of genius than he anywhere else exhibits in his lyrics; but then these brief and bright effusions are learned by heart—are confined to the memories of the people—and come down from generation to generation without the aid of the press or the pen, to which longer and more deliberate productions must be trusted. In this way alone would many of the best of Burns's songs be preserved, perhaps his humorous lyrics the longest.'

From the songs themselves we cannot afford to make any extracts; for if we were once to venture ourselves in that flowery wilderness, we know not when we should escape. We intended, out of regard for Mr C., to have given one or two of his own performances; but unluckily his best pieces are the longest—and we could not please ourselves with any specimen of admissible dimensions. He is a good imitator of Burns—and that is no light praise; but his genius is intrinsically imitative, and we cannot well guess what manner of poet he would have been, if he had been obliged to work without models.

We *will* give one song after all—and it shall neither be from Burns nor Cunningham, but from an obscure living writer of the name of Laidlaw, of whom even our collector has not told us anything but that this simple ditty is from his hand. It is a fair example, we think, of the lowly pathetic; and though it may appear dull and vulgar to our learned readers of the south, we are so persuaded that it will go to the heart of many a village-bred Scotchman in remote regions, and all conditions of society, that, for their sake, we willingly submit ourselves to the ridicule of our more fastidious neighbours—It is called 'Lucy's Flitting,' and runs thus:

'Twas when the wan leaf frae the birk tree was fa'in',
And Martinmas dowie had wound up the year,
That Lucy row'd up her wee kist wi' her a' in,
And left her auld master, and neibours sae dear.
For Lucy had serv'd i' the glen a' the simmer;
She cam there afore the flow'r bloom'd on the pea;
An orphan was she, and they had been gude till her,—
Sure that was the thing brought the tear in her ee.

She gaed by the stable, whare Jamie was stannin',
Right sair was his kind heart the flittin' to see;
Fare ye weel, Lucy! quo' Jamie, and ran in.——
The gatherin' tears trickled fast frae her ee.
As down the burn side she gaed slow wi' her flittin',
Fare ye weel, Lucy! was ilka bird's sang;
She heard the craw sayin't, high on the tree sittin',
And robin was chirpin't the brown leaves amang.

O what is't that pits my poor heart in a flutter?
And what gars the tear come sae fast to my ee?
If I was nae ettled to be onie better,
Then what gars me wish onie better to be?
I'm just like a lammie that loses its mither;
Nae mither nor frien' the poor lammie can see;
I fear I hae left my bit heart a'thegither;
Nae wonder the tear fa's sae fast frae my ee.

Wi' the rest o' my claes I hae row'd up the ribbon,
The bonnie blue ribbon that Jamie ga'e me:
Yestreen when he ga'e me't, and saw I was sabbin',
I'll never forget the wae blink o' his ee.
Tho' now he said naething but Fare ye weel, Lucy!
It made me I neither could speak, hear, nor see:
He could na say mair, but just Fare ye weel, Lucy!
Yet that I will mind to the day that I die.

The lamb likes the gowan wi' dew when its droukit;
The hare likes the brake, and the braird on the lea;

But Lucy likes Jamie;—she turn'd and she lookit;
She thought the dear place she wad never mair see.
Ah! weel may young Jamie gang dowie and cheerless,
And weel may he greet on the bank o' the burn!
His bonnie sweet Lucy, sae gentle and peerless,
Lies cauld in her grave, and will never return!

Before finally parting with Mr C. as a collector and editor of songs, we may observe, that we have often met with him before, in the capacity of an original author. He has indited a strange, half-romantic, half-pastoral tragedy, called Sir Marmaduke Maxwell; and he has more lately given to the world two very extraordinary tales or novels—the one entitled Paul Jones, the other Sir Michael Scott. In all these works, there are the same merits and the same defects—a profusion of fancy and a penury of common sense—a prodigality of imagery, startling incidents, and fantastic characters—with an utter want of probability, nature, or sustained interest. He has all the ornaments of genius, in short, without its solid supports; and his books bear the same relation to works of sterling merit in the same department, that an assortment of spices and garnishings would do to a splendid feast, or a collection of gilded capitals and sculptured mouldings to a magnificent palace. In Paul Jones alone there is ten times as much glittering description, ingenious metaphor, and emphatic dialogue, as would enliven and embellish a work of twice the size; while, from the extravagance of the fictions, and the utter want of coherence in the events, or human interest in the characters, it becomes tedious, by the very redundance and excess of its stimulating qualities. Sir Michael Scott, again—being all magic, witchcraft, and mystery—is absolutely illegible; and much excellent invention and powerful fancy is thrown away on delineations which revolt by their monstrous exaggerations, and tire out by their long-continued soaring above the region of human sympathy.

Mr C. is beyond all question a man of genius, taste, and feeling; but he is deficient in judgment and knowledge of the world, to a degree which seems to unfit him for pleasing those who belong to it, by any long work. To interest our fellow creatures effectually, we must have a fellow feeling of *all* their passions and infirmities. It is the province of genius to rise to the highest part of the sphere which these inhabit, and at times even to soar beyond it. But it is the part of judgment to retain our flights, for the most part, within its circuit; and, however loftily our fictions are reared, to let it be seen and felt that they rest on the solid earth at last, and are connected with upper air by gradations which all can understand. There is nothing more remarkable than the different proportions in which these intellectual fa-

culties have been dealt out to different individuals. It is but rarely that they are seen so happily balanced as in Shakspeare and the author of Waverley. The most ordinary defect is in the more ethereal qualities of high feeling, fancy, and imagination. But these also we sometimes find in excess—as in the case of Keates and Cunningham, and many of the German inventors.

ART. IX.—1. *Third Report upon Emigration from the United Kingdoms*, 1827.

2. *Observations on the Report of the Emigration Committee of London*, 1827.

3. *Travels and Adventures in Southern Africa*, by GEORGE THOMSON, Esq., *with Observations on the Progress and Prospects of the British Emigrants of* 1820; *the Resources of the Colony, and its Adaptation for Settlers, &c. &c.* 1 *vol.* 4*to*, London, 1827.

4. *Hamilton's Interior Provinces of Bogota*, 2 *vols.* London, 1827.

5. *The Present State of Columbia, &c., with a Map descriptive of its latest Territorial Divisions.* By an Officer, late in the Columbian service. 8*vo*, London, 1827.

EMIGRATION, regarded as a national object, can have but two recommendations—The immediate advantage of the settler, or emigrant himself—and the subsequent advantage to be derived by the mother country. Facility might be considered as a third point, if it may not rather be included under the head of personal advantages.

The advantages of the emigrant are reducible to subsistence and advancement. A new country may be barren, or its cultivation highly laborious; in such cases, subsistence is the utmost that can be derived from it. In northern climates, where the earth is dormant half the year, the labour of the remaining half must supply the necessities of the whole. The clearing and settlement of such countries is therefore laborious, and the advancement slow. The class of productions is another important consideration with respect to advancement. Countries, whose productions are analogous to those of Europe, are deprived of a medium of barter, and consequently can have little foreign commerce. They may have a surplus of produce; but this surplus is not always available as a medium of exchange with manufacturing countries. If we seek the *maximum* of advantage to the settler, we shall find it in a country easily cultivated, and high-

ly productive; the productions of which, besides subsistence in abundance, afford the *media* of exchange for foreign commerce.

The *facilities* of settlement are either local or moral; or, which is the same thing, the difficulties arise from the natural or political state of the country to be settled in. The natural difficulties are, distance, barrenness, imperviability, unhealthiness of climate. Distance is an obstacle in as much as it augments expense, impedes information, and diminishes the intercourse with the mother country; a circumstance of considerable importance, at least in the eyes of the first generation. New South Wales is an example. For imperviability and unhealthiness of climate, we may instance the vast forests of the interior of Ceylon; the pestilential jungles of the Indian Peninsula; the swamps of Dutch Guyana; the inundated plains of Choes in Columbia; and parts of the southern coast of the United States. As there are very few countries, however unpeopled, but which are subject to the jurisdiction of some nation or government, the character of these may offer facilities or difficulties to foreign settlers, according to circumstances. We may enumerate as facilities, common origin, moral and political sympathies, and, above all, mutual necessity. As impediments—antipathies moral and religious, illiberal or despotic governments, and an independence of foreigners. China is here the strongest case of the last description; and, on the opposite side, the United States.

The second problem, or that of the greatest advantage to be derived by the mother-country, will be solved (in all cases where distance does not place him almost beyond its reach) by ascertaining the most advantageous position for the emigrant; since the extent and utility of his connexion with the country of his birth will depend on the facility of his subsistence, the rapidity of his advancement, and the quantity of exchangeable products he can raise in the country of his adoption. National intercourse turns very little on feeling; and mutual wants, cemented by custom, must measure the degree of communication betwixt distant countries. The settler who is poor, whose labour is productive merely of the necessaries of life, will speedily be separated from the intercourse of manufacturing Europe. The early history of our settlements in North America is a proof of this: the cultivation of tobacco, cotton, and other exportable articles, restored the broken chain of connexion.

We have not mentioned *dominion* among the advantages of the mother country. Fifty years ago, it would have been necessary to prove by argument that it is not necessary to govern a country in order to derive the greatest possible advantage from the only really profitable relations, those of commerce. The indepen-

dence of the United States first revealed this secret. The cumbersome subjugation of India, the costly preservation of our sugar islands, and the ruinous empire of Spain in South America, are illustrations of the same fact.

Reasoning from the principles thus hinted at, we proceed to inquire, in the case of England, to what country would emigration, on a large scale, be most effectually directed, so as to procure, in the greatest degree, the advantages enumerated? The first question is, whether, in the choice of a country, English possessions, *merely as such*, are entitled to a decided preference? This is, in fact, merely to return to the question of dominion. If colonies, in the modern sense of the word, offer no advantage, there exists no reason for increasing their population or number. Thus patriotism and self-interest will not be found to range themselves under different banners. It may, however, happen that these possessions offer advantages in other points of view worthy consideration, and something also must be allowed to political facilities. The British colonies to which emigration seems at present most generally directed are, New South Wales, the Cape of Good Hope, and Canada. Whatever may be the advantages of New South Wales in respect of open country and climate, it is removed by distance beyond the *natural* sphere of European connexion; its future commerce must be Asiatic. The Cape of Good Hope, if we may trust the accounts of settlements recently established there, presents no considerable natural advantage. The settlers are besides placed on a frontier of civilization immediately in contact with fierce and hostile tribes; their subsistence has been felt to be so precarious that exportation was prohibited; their advancement must, consequently, be very slow. The climate of Canada, though healthy, is exposed to the disadvantage already mentioned, *viz.* that the expense of the whole year must be furnished by the labour of half, which expense is augmented by the necessity of clothing, fuel, and dwellings, adapted to a rigorous winter. The soil, when stripped of its timber, (which indeed only reaches us by a violent and necessarily temporary monopoly,) offers productions too nearly resembling those of Europe, to serve as exchangeable media, which shall be permanent and certain. Labour will maintain life, but leave little surplus; the advantages to the mother country are consequently few and remote. We lay little stress on political influence, because the idea of balancing the power of the United States by a thread of population stretched along the immense Canadian frontier, can scarcely be seriously maintained. The growing circle of American Independence must speedily include every relic of European power in the Transatlantic hemisphere. The only permanent bond of union betwixt the Old and the New

World, must hereafter be *commerce*. In whatever degree Europe can augment the population and prosperity of America, in the same she augments her own resources; because, for centuries, these two portions of the globe must stand in the relative situations of agriculturist and manufacturer.

It would be ridiculous to think of stimulating the industry of the United States. *There* freedom and knowledge have done their work; but the case is very different in South America. These immense regions, awakening from a lethargy of ages, and yet bearing the benumbing impression of their broken chains, implore the vivifying energies of European civilization to guide them to the term of social happiness prescribed by their new destiny. Our principle of the maximum of advantage to the settler receives here its fullest application. The soil is fertile in the extreme, and its productions of the highest exchangeable value; the climate is most advantageous to labour, because no part of the year is unproductive; and as but little is expended on mere food, clothes, and shelter, a considerable surplus is applicable to advancement. The natural facilities are also great, because the country, though thinly peopled, is nowhere a desert; the basis of society everywhere exists, nor are the unsettled tracts exposed to the incursions of hostile nations, or the depredations of wild beasts. Even climate, the most alarming impediment to population within the tropics, ceases to be an objection where the declivities of the Andes offer every possible range of the thermometer.

The question of moral difficulties may seem more open to discussion. The embarrassments which at first arise from difference of language, are proved by the experiment of the United States and Canada to be but shortlived. There is certainly no sympathy of common origin; but then it is replaced by no antipathy. The mind of the South American, now that the prejudice in favour of Spain is removed, has little bias with respect to nationality, and that little is in favour of England. With respect to customs, he is more disposed to adopt new ones, than pertinaciously to adhere to the old. The astonishing change of domestic habits throughout South America since the Revolution is a proof of the assertion. Bogota, Lima, Buenos Ayres, and, in general, all the sea-port towns, both of the Atlantic and Pacific, are examples. The new republican governments are favourable to immigration, because they feel they want it: Religion is the only antipathy likely to prove detrimental. This would not, of course, apply in case of Irish Catholics. For others, besides the *positive* toleration laws in Columbia and Buenos Ayres, there is a growing disposition of indifference as to the religious belief of foreigners, in proportion as there is an increasing sense

of their general utility. There does, however, exist, up to the present moment, a fanatical party in South America: The priests and friars cannot relinquish absolute dominion without a struggle, and they rely on a mass of ignorance to support their pretensions; but every step towards superior civilization diminishes their strength, physical and moral, so that we may consider the final triumph of toleration to depend on Europe itself.

The changes to which the newly established governments of South America are subject, may seem to militate against the idea of establishing peaceful settlements in the bosom of political anarchy. It is probable that these movements, viewed from the distance of Europe, present a more alarming aspect than they offer to those more immediately within the sphere of their action. We may also doubt whether a certain degree of political agitation be on the whole unfavourable to national prosperity. The stormy liberty of Rome, the internal convulsions of the ancient Grecian, and the more recent Italian Republics, even the state of England after the civil wars of Charles I., and that of the United States after the War of their Independence, do not present us with any signs that real strength and civilization had been losing ground. The late wars in South America certainly did not encourage habits of order and tranquillity; yet more has been done towards the general improvement of society in these few years, than in the whole preceding century of peaceful Spanish dominion. In order to solve the problem of the superiority of *libertatem periculosam* over the *servitutem tutam*, we must weigh against the possible occasional interruption of peaceful habits and application, the quantity of moral energy brought into play in the whole circle of social movement. We must consider the different effects produced on the mind, by a state of disturbed freedom, and of systematized slavery. In the first case, danger and difficulty act as stimulants on the public feeling, giving birth to all the appropriate qualities of men and citizens: But the principle once established, of the subjection of our ideas and actions to the *will* and interest of a ruler, of whatever denomination, is death to every species of energy, because the essence of energy is self-will. It is no argument to say that much partial despotism exists in all fluctuating and unfixed governments. The evil of these is limited to the individual cases, which never will be very numerous, as long as the right of acting despotically is unrecognised. A traveller may be assaulted and robbed on the high road; such an accident will not prevent more from travelling, though it may induce them to go armed; but once establish the *right* of certain individuals to rob travellers, and few will be found to take the trouble of a journey. A period of political agitation, moreover, as it excites a spirit of ac-

tivity and examination, is favourable to the rooting out of abuses, founded, as almost all abuses are, in custom and connivance; and as political struggles are ever more or less the consequence of abuses, such general effervescence is, perhaps, the only mode of purifying them. It is impossible to effect an entire change of system without wounding many particular interests; and it is equally impossible to enjoy perfect political tranquillity until all interests are amalgamated.

But if a state of political agitation be not unfavourable to national improvement, neither is it incompatible with any species of enterprise, (such as emigration,) the result of which must depend in great measure on the state, more or less progressive, of the country emigrated to; for which, consequently, the present state of South America offers singular advantages. The question as to the interest of England, we have assumed to be substantially contained in that of the emigrant. We conceive no scheme to be possible which proceeds on any other principle. But in the case of emigration from England to South America there enter further considerations.

When emigration takes place to a country unpeopled, or peopled by a kindred race, the advantage to the mother country, under the most favourable circumstances, must always be measured by the powers of production and consumption of the persons emigrating. Thus, if to a British colony possessing 200,000 inhabitants be added 50,000 emigrants, the increase of commercial intercourse with England will merely be in proportion to that number. But the case is different when emigration takes place to a country tenanted by a nation of different wants and habits, and with inferior means of production. Here the introduction of new wants and habits, with the amendment produced by superior talent and industry, will give an advantage to the mother country, whose measure will be the amount of the whole ancient population. We say nothing of the shield they present as auxiliaries to independence and peace.

This is the situation of South America. Fifty thousand English emigrants, introduced into a population of 2,000,000, propagate *their* habits and improvements through the whole mass. This is no theory; it is what has been done already, to a vast extent. The only question is, whether the English government is desirous to push the experiment still further?—to the point, one may say unhesitatingly, of rendering the greater part of South America *essentially British*; British, as far as two countries can become one, by sympathy of mutual advantages, as far as developed and bound together by mutual aid; in fine, as far as the

interests of both countries, and of civilization in general, can require.

Such, in part, are the observations which a look over the map, with any volume of statistics open in one's hand, would seem naturally to suggest. But they are confirmed by proof and observation. We have now before us English letters from Quito, written in the strongest terms of invitation and encouragement. There is ample elbow-room for all who feel themselves crushed and struggling at home; space, in which a whole nation might set itself down with ease. The Columbian Agricultural Association appears to have been founded with reference to such principles. Its terms are most liberal. 'The association was 'to transport the settlers, at its own expense, to Columbia; to 'convey them to the place of their location; to maintain them 'there for eight months, and to provide them with agricultu-'ral implements. In return for this, all that the association 'required from the settlers was, that they should cultivate their 'lands 'unremittingly from season to season;' that they should, 'out of the produce of those lands, repay the advances made by 'the association, with interest, at five per cent, and that they 'should pay a rent for the land, equal to threepence sterling 'per acre, or purchase it, at their own option, at a price equal 'to four shillings per acre.' The exemptions offered by the Columbian government are equally flattering.

'Exemption during ten years from military service, except 'required for local defence.

'Exemption from duties of all clothing imported for the use 'of the settlers.' (Agricultural implements are by law exempt from duty.)

'Exemption, in one grant for six years, and in others for ten 'years, from direct contributions and ecclesiastical tithes.

'Exemption from export duties of the produce raised by the 'settlers for six years.

'Settlers not to be in any way molested on account of their 'religious belief.'

We regret exceedingly the discontent and failure which seems to have attended the first colony, which consisted of 191 persons when it left Scotland; but, according to the superintendent, 'they 'were such a set of people, with a very few exceptions, as could 'not have been procured in any country.' They had every advantage; but acted as if resolved to avail themselves of none. Yet, by the surgeon's Report, the most sickly months in the year were passed over by a population of drunken adults, and a large proportion of children, with a mortality of about one-fifth less than that of the most healthy parts of Europe. Mr

Powles is perfectly justified in his declaration, 'that the defaulters in this transaction are the settlers themselves. They are the 'parties who have not performed their agreements; and who, by 'their own misconduct, have brought a very heavy loss upon 'the association; and what is more to be regretted, have greatly 'retarded the progress of an undertaking calculated to produce 'the most extensive advantages both to Columbia and Great 'Britain.'

We trust the success of this wise and benevolent experiment is retarded only. The million of acres granted to this company present a very different prospect and security from those golden bubbles which the Reports of Messrs Head, Andrews, and Beaumont, have by this time blown away. Independent of the loss, disgrace, and ridicule, which belong to the dupes of such impostures, if the country had this amount of loose money to play with upon foreign speculations, one cannot but deeply regret that it had not been employed in founding what would be almost new empires, and in schemes, which, if at last failures, would have been noble and Roman, both in the conception and the attempts, instead of rambling blindfold, with the Dousterswivels of the Stock Exchange, in a precipitate crusade after mines.

The above outline on Emigration was sketched entirely with a view to the general question, as existing in ordinary times. We have since taken up the Third and last Report of the Committee of the House of Commons, appointed to consider the subject of Emigration from the United Kingdoms. No human being can read it without a most painful interest. The question has become one of importance, not more immediate than immense. We leave apart all political considerations regarding colonies generally, or any one in particular. Yet still the inquiry, in some respects, especially that of the facility of its execution, assumes a new aspect altogether, if we once believe in the comparative probability of an ultimate repayment of the sum advanced, as contemplated in the Report.

The Report, which prefaces the voluminous evidence, is brief and judicious; in every point upon which it touches, stopping short of the terms which the evidence as given would have borne out. It thus affords, in its detail, as much assurance of the moderation and discretion by which the object, if undertaken, will be accomplished, as the object itself is one in which the interests of national order and prosperity, and the feelings of humanity, are concerned. Mr Horton has been exposed in this matter to most unaccountable misunderstanding. In the trade Cobbett is carrying on, that of proving his exclusive qualifications to be Prime Minister, it is as necessary that he should blacken others, as it is that a chimney-sweeper should be black

himself. But we have seen elsewhere statements which we only abstain from calling misrepresentations, because it is an odious word; and it is difficult, besides, to imagine that any one could think upon this question long enough to write upon it a single paragraph, without losing every captious and suspicious feeling, in the common necessity and consolation of labouring together heartily and thankfully with all that are kind enough to come forward for so great a public purpose. The Report pledges neither the Committee nor the Government to any definite act. Its opinion indeed is intimated in so reduced a tone, compared with that of the witnesses, that it scarcely reaches the level of recommendation: 'It is under this state of things that Emigration appears to your Committee to be a remedy well worth consideration.' Again,—'As the precise extent of the redundancy of those persons (95,000 to be removed by the expenditure of L.1,140,000,) could never be *absolutely* proved; and as no *conclusive* security could be obtained for entire prevention of the filling up of such a vacuum, (that created by their removal,) they are prepared to allow that a national outlay for the purpose of Emigration, unless attended with return, direct or indirect, could not be justified.'

The subject itself is so momentous, that in our view of it, it outweighs either the cause or the result of any war in which this country ever was engaged, except perhaps the last. It is one, too, in which it is mere ostrich policy to shut one's eyes, and fancy the danger will pass away. We have no doubt, therefore, that, sooner or later, these measures, or something like them, must be so sifted and digested, that the minds that lead will reach some reasonable and practicable suggestion. Meantime, it was an indispensable preliminary, to obtain the facts through the means of that most invaluable public servant, a Committee of the House of Commons. Twenty-five witnesses have been examined on the state of Ireland—twenty-six on that of England—fifteen on that of Scotland—comprising extensive proprietors, land-surveyors, and overseers—the master manufacturer and artisan—the calm, humane, and practical intelligence of Mr Malthus, (*mitis sapientia Læli,*) down to the aspirants after a more perfect state of communion, 'pattern of that just equality to be perhaps hereafter,' which a society, professing to better the condition of mechanics and farming servants, expects to obtain, by establishing a minimum of wages, and a tax upon steam-engines. These are inflammable topics; and in combustible quarters they have been acted on. Dr Murphy (p. 384) states, that the operatives at Cork now have the law in their own hands, and regulate their wages; they will not allow a single tradesman to come into the city who is not a member of their

union, and his life is in danger after receiving notice to quit from the committee of the trade that he belongs to. More than twenty, it is said, had been actually killed in this manner in the city. The consequence is, that public buildings are retarded—no person engages in any work requiring tradesmen, who can avoid it—and of the carpenters and masons, who will not work for less than 4s. 1d. a-day, some of them do not get a day's work in a fortnight. This combination had extended to labourers. Those from the country, whom the engineer on the new road from Cork to Dublin had got at 6s. a-week, were driven away by the city labourers. In Great Britain, however, these mischievous delusions seem to be abandoned; and we trust that the prospectuses of these ill-advised philanthropists, or the more intelligible excitement of despair, will not be able to revive the cry against machinery. Mr Northouse (p. 91) says that the Glasgow weavers, 'though in some instances blinded by their misery, have 'in general just ideas with respect to the effects of machinery.' In the words of the delegates themselves (p. 48,) 'the weavers 'in general do not consider that machinery can or ought to be 'put down—they know it must go on, that it will go on, and 'that it is impossible to stop it—everything beyond the teeth 'and nails is a machine. I am authorized by the majority of our 'society to say, that I speak their minds as well as my own.' Mr Fielden confirms this as to Lancashire (p. 214): 'That feel-'ing has quite died away. I think the weavers are very sensible 'of their error. In the Darwen district they have been actually 'supplicating that the power-looms may be brought in to give 'them employment—the very people who broke them before.'

To see truth and good sense making its way among all the difficulties and passions with which this question is necessarily surrounded is some comfort. Machinery, wages, population, and the objects proposed by Emigration, are among the first subjects which we should like to see treated in Mechanics' Institutes. A small portion of the pains to set them right, which has been often taken to set them wrong, would be well bestowed. The patience and submission of large masses of human beings, with their wives and children, starving day by day, is a spectacle of passive courage that demands and deserves all the exertions of generous compassion which a nation can return. On the other hand, it has not been the least of the few pleasures which can arise during a closer inspection of the distresses of the last twelvemonths, to come in contact with the name and labours of the Bishop of Chester and Mr Hulton, so zealously and honourably employed in this great and melancholy cause.

The investigation, as pursued, is divided into two branches. Under the first, are detailed the respective wants and capabili-

ties of our different colonies, as far as relates to emigrants, whether by their employment as labourers, or by their location as pauper settlers. Government was so tenacious of its acres at the Cape, that the formation of a company on agricultural speculations, similar to that of Australia, was abandoned (p. 161). It appears, too, very doubtful from the state of their market, &c. (p. 152) whether farming on a small scale is profitable there; the presence of slave labour must embarrass free wages, and 600 or 700 pair of hands a-year of all ages, seems the outside of the additional labour, as such, which the colony could take up. Little is said about New South Wales, with its proposed grants of 10,000 acres at 18d. an acre. But surely, in the present state of our population, it would be most desirable to *execute* the punishment of transportation, and even to raise the term, accompanied with facilities for emancipation there on good behaviour, under the condition of remaining, so as to reduce the probability of the convicts returning home.

The bulk of evidence is directed to North America, as the really practicable breach. On this point, great pains have been taken to ascertain the least possible expense of passage, provisions, and those sundries which Government, in either case, must advance; and also the different degrees of security which either method could provide for repayment of such advances. It is of the first importance to open out a regular road of emigration upon as cheap terms as possible, with due regard to the real interests of those who are to travel on it, because its availability must turn in great measure on its cheapness. Besides, they who are to be called upon to refund these expenses at a future day, are entitled to be guaranteed, that a shilling shall not be spent without its worth having been got for it. The experiment, indeed, can never be fairly tried with dissatisfied parties; for a great deal must depend on the willingness, as well as the competence of debtors, under such novel circumstances. The lien upon a man whom you have already moved across half the globe, must rest on your making it worth his while to stay. Evidence can scarcely be required, (though we have it at p. 148, 153, 206,) that though an individual may not be easily lost at such a place as the Cape, yet once discontented, he will with difficulty be retained there, or elsewhere, and can easily so conduct himself as to be not worth retaining. In North America, the United States are at hand to receive a man the instant that he is out of humour, or thinks he can better his condition. The greater number of the casual emigrants who have arrived at Nova Scotia, are stated (p. 256) to have felt their way to the United States soon after their landing; and one summer's good work on the United States

canal, is said to have placed whole families of Canada emigrants (p. 121) in as independent a situation, as if they had been furnished with a twelvemonth's provision in the outset. The trap, as it is baited to the south of the St Laurence, must have for this class strong temptations, where the wages for weaving a striped calico are dollars instead of shillings, and where 'a 'man (p. 121) who passes a whole summer at work upon these 'canals, learns to live as an American; three flesh meals a-day, 'tea and cream, with the expensive comforts of an American 'meal; whereas if he never removes out of the Canadas into 'the United States, he retains the habits of frugality that he 'carries with him from Europe.'

What we have said applies properly to labourers—give a man 100 acres, see him through his first start, and when once he has begun to whistle behind his plough, or even spade, you will hold him as *adstrictus glebæ*. There certainly appears hanging over the minds of several of the witnesses who have been acquainted with the respective emigrations, whether from Greenock, Londonderry, or Liverpool, (p. 94, 349, 383, &c.) a suspicion that the scale of proposed expense, though ascertained by competition, may be yet considerably lowered. Mr Tighe would liberally pay rather more towards sending the poor men off his own estate under the superintendence of a direct agent of Government, from a feeling of the extreme desirableness of bringing Government on every possible occasion in contact with the population of Ireland in a benevolent point of view, and thus showing the hand and mind of Government in every part of the plan. (p. 443.) Yet great deference ought to be paid to the experience of Mr Robinson, who has been so eminently successful in the selection of his 2000 emigrants out of 50,000 applicants in the south of Ireland, and their location in Canada in 1823, and again in 1825. Captain Basil Hall saw them last September in perfect comfort. If the Government assistance commences on their arrival at Quebec, he says the emigrant would put up contentedly for the passage with many inconveniences and privations, as being under his own arrangements—and in case of any intermediate casualty, Government would be saved the odium. (p. 349.) After the unexceptionable evidence upon the subject, so numerous and so unanimous, no rational doubt can remain respecting the Canadian settler's capacity to commence, in the seventh year of his location, the repayment by instalments of his original loan of L.60. The collection can be easily provided. The security will not be contained merely in the improvement of the specific allotment. Locate a large body of men, and the rise in the value of the land is not only that which they occupy, but on that which surrounds them on every side. Mr Felton says,

(p.115,) 'allowing that one-third of the settlers fail in fulfilling 'their engagements, yet that disposable third will always sell at 'a period short of seven or nine years, for more than sufficient to 'cover all advances upon its account, even without any im-'provement made upon it.' Thus Captain Scott (p. 253) mentions the case of sales of portions of a district by a friend in Nova Scotia, at L.5 the hundred acre lot, to be payable in a given time. Upon default, one of the lots was valued in the sixth year at L.500. It was to the increased value of the intermediate property which the owner reserved to himself, that he had looked, and justly, for his remuneration. We need not conceal that the real weakness in this security is its neighbourhood to the United States, and the consequences of what we fear (with so many debateable questions left open between us) can never be regarded as a very improbable event, a war with America.

What between policy and circumstances, we manage our foreign possessions in a droll way. In the East Indies a handful of covenanted servants come and go, succeeding each other for their terms of service; and let us hold our empire there until doomsday, the present system (which does its work by a temporary and movable scaffolding only) will leave nothing but an innumerable Hindoo and Mussulman pauper population behind; for it raises nothing new, whether English or native, permanent upon and inherent in the soil. An English settler, who is to do so much for every other unenlightened corner of the earth, is there a grievance and a horror. In the West Indies, to save a halfpenny a-pound in sweetening our tea, we have crowded the plantations with wretched slaves, to the exclusion of white labour; and an age had passed before we would let the artisan seek a maintenance there by manufacturing even a nail. In the precarious remnant of our American provinces, we are now driven, at the eleventh hour, towards something of substantial colonization,—at a season when our activity resembles that of an engineer, who has a fancy to place his fort upon a projecting rock, which the waters and the whirlwind have already undermined.

We freely confess that it is the supposition of a very considerably increased security for the repayment of any national advances, which alone could bring us to lay the scene of emigration in North America, or place that soil and climate at all in competition with the south. In our view of the case, under the uncertainty of an eventual repayment, it remains, therefore, a very secondary point, what precise direction the stream shall take. Although this consideration must affect, and, to some extent, limit all arrangements, we can, in no degree, allow that it controls the other and main question. The result, 'emigration or

no emigration,' seems to us determinable upon distinct grounds; and its propriety, not to say necessity, instead of turning upon the single calculation of repayment, is apparently proved, before we come to this most weighty but subordinate consideration.

It is this last and most appalling division of the two lines of inquiry which have been entered into by the committee, it is the *home* view of the case, which, if there is any truth in the witnesses, (whom all local experience, as far as it can go, confirms,) or any confidence to be placed in reasonings, whose steps are so simple as to admit of no denial, strikes us as conclusive. The proposition is not, whether you will part, for political or speculative purposes, with that occasional supernumerary population, which floats on the surface of society, like the few loose shillings a man carries in his pocket. It is no longer a mere question of romance or fancy, whether the spirit of enterprise and independence shall be gratified, which lights up the young farmer's eye when he stares at the woodsman's phrase, where acres by the thousand are called 'Blocks of Land,' whose chips may be had for asking—or whether the dreams of the lasses shall be indulged, when they hear that female consignments (inferior only in quality to those provided for the East) go off as speedily in the western world; and that hundreds of women (to speak in settlers' language) would be absorbed almost as soon as they were landed. Unfortunately, the topic has now become one of necessity, and that as urgent as life itself. The New World had not been discovered long, before it was the favourite haunt of all adventurous spirits, and the conversation of every hall. It is now made, by motives more intensely stimulant, the talk and hope of the workshop and the cabin. That mysterious figure which some early navigators were said to have found in a desert island of the Atlantic, with its finger pointed to the west, must be ever present in the dreams of thousands of our wretched fellow creatures, excited by the invitations sent back to them by their friends who have been fortunate enough to escape thither, whilst they themselves are wasting at home a strength and skill, alike superfluous, and driven almost wild by famine and despair. An immense portion of the lower orders pent within these islands with the prospect that is immediately before them, and the contrast held out to them in the New World, is in the condition of the inhabitants of a besieged town,—dying through hunger, whilst harvest is seen going cheerily forward without their walls!

It is upon this unprecedented state of things, almost incomprehensible in the range which it has reached and the diversity of conditions which are brought within its whirlpool, that the British Nation, and the Government which acts for it, are now

called upon to decide. It becomes nations as little as individuals to mistake the means for the end, and look on wealth as valuable for any other purpose but that of securing the happiness of a people. Every shilling that national avarice imagines it can thus save, is bought at a price far beyond its value. There are 500,000 tons of shipping from this country to Canada, chiefly in ballast, waiting like return post-chaises at our door. Our commercial intercourse gives us incomparable advantages beyond what any nation ever enjoyed on such an occasion: and the great power which wealth possesses in its hands, is the scale on which it can conduct its operations, and the summary relief, by the instant application of one large sum, from that train of minor and daily charges to which, though eating up their income at most usurious interest under a thousand different names, poorer governments and individuals must still submit.

We might say, with a view to the distinction of Casual and Regulated Emigration in the present instance, that the first is little more than bleeding at the nose for inflammation on the lungs. The extent which it has reached, by parties absconding in driblets on their own means, answers no satisfactory purpose, but that of affording an indisputable symptom of the disease. No lumber is moved with such difficulty as man: and the love of country strikes its roots so deep, that for the emigrant to tear himself away costs drops as dark and ominous as those wrung from the living shrub of Virgil. What must have been the wrench that has so fearfully and nationally overcome this passion, may be understood, when one of the witnesses can say, '*unfortunately* for 'the Irish character, they are attached to the place where they 'are bred, and unwilling to remove.' (p. 277.) Mr Thinton, a master manufacturer of Carlisle, speaking of the anxiety for the removal of the redundant weavers, on the part of the masters as well as of the workmen, observes, (p. 282,) 'In the present 'gloomy prospect for business, we should be benefited, in as 'much as the expense of supporting them would be saved. Cer-'tainly it is not the wish of the master manufacturers to part 'with their men, particularly to a rising rival nation, were there 'even *a distant* prospect of employing them profitably at home; 'and I am sure nothing but extreme distress induces the men 'to think of leaving their native country.' The extent to which casual emigration can be carried must be always too minute to drain off any sensible quantity of that overflow under which an integral part of our resources is now swamped. Besides, in great measure, these detachments, consisting of parties who are able to move themselves, comprise just the class, with some little money and forethought, whom it would be comparatively desirable to retain. The Irish landlords confirm this,

Mr Buchanan says, the emigrants he has known were generally of a superior description, possessing a little property, or going to friends in the United States. Last year, in the proportion nearly of 400 to 500 had their passage paid on arriving at Philadelphia or New York. 'Of the low description' in Ireland, according to Mr West, very few have emigrated. Mr Marshall calls it 'an attainment beyond their reach.' They, it seems, must stay, and continue to furnish the materials for realizing that extravagant picture of Aristophanes, who represents War and Tumult pounding states in a great mortar, and using as pestles such prominent leaders as perturbed Ireland always must supply! Out of these hordes, however, Dr Murphy speaks of numbers that still get down to Cork with nothing but the 50s. for their passage, and a bag of potatoes! They seem principally disgorged on Canada—for Mr Buchanan, (p. 111,) who is well acquainted with this passage trade, and has carried himself, within the last ten years, 6000 persons, with property generally averaging from L.30 to L.50, says, you may know by the different class of people in a ship whether they are going to Philadelphia or Quebec.

Nothing can show more satisfactorily the immense facilities for employment in those regions, than (though Mr Felton allows 16 months' probation before the settlers are carried onwards into the United States, and the usual emigration to Canada, of late years, has been 10,000 souls per year) that, on an average of four years, (p. 122,) they have had only 250 annually in the hospital in Lower Canada; and subscriptions at Montreal and Quebec of L.1600, an Assembly grant of L.800, and a grant of L.1000 from Government at home, have been sufficient to combat with their distresses, even with their scanty employment for the winter months. Fifty thousand annually, for two or three years, would demand, he adds, some previous arrangement. The emigration from Ireland in 1822 and 1823 is placed at 10,300 annually, and spoken of as being principally *direct* to the United States: it fell to 7500 in 1824; but almost all the witnesses agree that this probably was in consequence of the demand for labour not having been so pronounced in the United States: or some other circumstances: and not from the passenger's act (since repealed) to which too much effect has been attributed, as its injurious precautions, especially those specifying unsuitable provisions, were, by common consent, not enforced. The transit of pauper emigrants from Canada, it seems, the United States would have a difficulty in preventing. The present legal impediments raised by the States (which require of the captain that a man shall not be chargeable within a year and a day) are slight indeed, when they expressly provide that a passenger depositing three dollars,

though possessed of nothing else, is entitled to land. However, it is the opinion of several of the witnesses, that if this description of emigration were to assume a more marked and systematic character, it is already so far become matter of complaint, that prohibitory laws, more or less effectual, would be enacted. If the root of this great evil is to be touched, either as to the class from which the emigrants are to be taken, or as to the scale on which the experiment is to be tried, assistance and regulation, such as the Government alone can give, are indispensable. The evil, however, is to be characterised and measured by the peculiar circumstances out of which it has grown.

Various circumstances may bring more or less suddenly upon a country, a vast disproportion between the amount of labour and the means of employment. The method of dealing with it must depend entirely upon the causes that create it. Temporary causes will probably require only a little help whilst the crisis is passing; as soon as the embarrassments which checked employment are removed, the remuneration of industry revives. A change in the agriculture of a country, by which (the operation of machinery being very limited) improved courses of husbandry are adopted, and fresh lands are brought into cultivation, is ordinarily one of this description. The same is true in manufactures, where the alteration is only one of fashions, as the leaving off buckles, or variations in commercial and political relations; in which case the demand probably soon reappears in another shape. But whenever the cause is ascertained to be of a permanent nature, and the resources of a nation, agricultural and manufacturing, have been previously developed to a certain point, these remedies, excellent for a moment, then only ultimately aggravate the evil; and unless a great nation is to sit down and resign itself to the calamity in its natural unmitigated form, we cannot imagine any expedient so effectual, economical, or desirable, as emigration.

Of the three classes of sufferers, the English unemployed agriculturist, the English and the Scotch manufacturer, and the Irish peasant, the first seems to pass much the least beyond the line of ordinary rules—whether we look at the cause of his present condition, the point which the intensity of his distress has gained, or the manageableness of it by less violent expedients. In some places, as Sussex (p. 84) and Buckinghamshire, (p. 142,) there is evidence that one-third of the labourers cannot get regular employment, and are supported at the expense of the parish. There are parishes which have shown their sense of the evil, such as Smarden, in Sussex, (p. 382,) by, in 1822, sending abroad eighty-nine persons, of whom the parish paid the ex-

penses of sixty-one, which came to L.400, and eight more were to follow last May, it being certain that all the former were doing well, and never likely to return. So Headcom, in Kent, (p. 178,) sent out, in 1824, eighty persons, of whom twenty-three were paid for by the parish, and cost L.179. Mr Fitzhugh, the agent appointed by the American Chamber of Commerce at Liverpool to protect emigrants against the frauds practised by the ship-brokers, (one action against whom on this account cost the Liverpool merchants L.150, p. 228,) stated, in March last, that, when he left Liverpool, 'There was an over-'seer from Kent, engaging a passage for a number of the poor 'of his parish for New York; and, during the last two years, 'the passage to the United States for a considerable number has 'been paid by parishes.' (p. 228.) Mr Cosway says, (p. 380,) 'I have made a scale from the evidence already submitted to the 'committee, by which I can prove, that the expense of sending 'a man, his wife, and three children, to Quebec, will not amount 'to more than two-thirds of the expense for one year to the 'parish.' The parochial efforts to get rid of paupers are the only contributions* which we are aware of, as having been yet advanced upon a public principle in aid of the personal means of an emigrant. To this extent, their disposition to pursue such a

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* We ought to mention the very liberal and enterprising exception of Maclean of Coll; who, according to the evidence of Mr Hunter, superintendent of his emigration, removed to Cape Breton, from the Island of Rum, (a sheep-walk of 30,000 acres, with a rental of L.800,) 300, out of a population of 850, and this solely at his own expense, at L.5, 14s. a-head, each adult. The witness's details respecting some of the other islands are very interesting. He thinks that the Western Highlands and islands could spare one-third of their population very easily. During the war, they married early, to avoid the militia. Looking at the Law of Settlement, as, by the result of the several answers (237, 267, 631, 1764, 1778, 1797, 1784) by one direct decision of the Court of Session, and the anxiety by the landowners to evade another, it must be understood to exist in Scotland, we wonder how the kirk sessions have been able to keep their secrets so well, that even the delegates from Glasgow know of no poor laws or legal claim; 'there is a 'church contribution, but they will not give it the name of a cess.' (p. 49.) It is admitted by all the witnesses, that, even where there is no pretence of a settlement, the Scotch law gives no power of removal. However, the intelligent proprietor of Coll, whilst living there, had been enabled, by the influence of patriarchal authority, to keep down the population; 'the 'means he used were, that he would not allow a young man, a son of 'one of the crofters, to be married without his consent; he said, if you 'marry without my consent, you must leave the island.' (p. 291.)

course is demonstrated; and though the overseer of Headcom allows the rates are not diminished as much as he expected, he seems perfectly satisfied with the result and good sense of the proceeding. If the landlords and overseers in the south and west of England will retread their steps, discourage extra cottages, get the farming men maintained (as formerly) in the farmers' houses, and thus accustomed to more comforts than a wife and parish allowance, and will, above all, duly administer the Poor Laws, they may perhaps reduce the swelling, without having recourse to amputation. 'We make up no wages out of 'poor rates, we pay no rents, we carry the Bastardy Laws into 'strict execution,' (yet the consequence of this, in the Bolton townships, was 740 inmates in the hundred prison, p. 221,) 'and 'we limit circumspectly our allowances to non-resident paupers.' That is the lesson (p. 402) which Mr Beecher teaches. The farmers thus taught 'know so well the superiority of a free 'labourer at 12s. a-week, even in winter, over a pauperised la- 'bourer at lower wages, that they cheerfully give the full hire.' The amount of the poor rates in agricultural districts may then again become a test of the real pauperism which exists there; at present, it is much more a proof of mismanagement, or rather abuse, of the Poor Laws.

Those who use labour will not be able to charge other people with the paying of it. The pauper will not be found demanding assistance from men who have been earning, perhaps in the summer, less than he has. We may then hope in time to hear less of the difference between free labour and parish labour; of three hours for dinner and two for breakfast, wasted by gangs loitering on the turnpike, who do not earn even the surveyor's pittance, 'falling into a low degraded way, careless of everything;' so that people would as soon take a man out of gaol, as off the road. They would cease to fear in parts of England that they may ere long forget what 'an Englishman's day's labour' comes to: nor read, as the difference between real life and romance on one side, their own case—not a man in the whole country willing to take a lease; the amount of rates scarcely distinguishable from that of rentals; 550 receiving relief out of a population of 1190, (p. 179,) or ninety-five men on the roads of a single parish, many of them without tools. (p. 137.)

On the other side, we have the case verified by Mr Beecher, in his reduction of the rates of Southwell, which were L.2010 in 1821, to L.517 in 1824; an incorporation of nineteen parishes, with never more than seventy-one paupers in their incorporated house, on a rental of L.106,410 a-year, and a population of 14,270. He may well be proud of his declaration, (p. 403,)

'In the parish of Thurgarton, of which I am the incumbent, by 'keeping up the wages to 12s. weekly for an able-bodied la- 'bourer, and by employing a sufficient capital in the cultivation 'of the ground, we have at this moment, in a population of '330 persons upon 3000 acres, but one resident pauper, who is 'a widow, receiving sixpence weekly.'

On the point, that emigration may be desirable as an outlet to the English labourer, Mr Cosway's prediction, we have no doubt, will prove correct; 'once set it in activity, let its prin- 'ciple be well explained, and there will be no feeling of hosti- 'lity to it—it will cease to be considered in the light of a punish- 'ment.' (p. 382.) So, according to Mr Taylor, a great deal will depend upon how the case is stated to them; but, after the prejudice of being transported is got over, and the thing followed up, there will be even a desire to go. (p. 176.) For this purpose, time and discussion, in some instances, may be required; and the result will, of course, differ in different places. A charitable subscription was raised for colonization in 1819 from Nottingham. Not a parish in Nottinghamshire would subscribe, though the terms offered were more favourable than those supposed by the committee; and though, in some cases, the expense of maintaining their poor was actually more than the income of the parish, many artificers, who had lived in comparative affluence, preferred working as common labourers, at 10d. a-day, rather than accept colonization. Half the subscription raised for this object was, therefore, obliged to be returned. The list was reduced to between two and three hundred persons, who were taken to Liverpool in coaches. Even of these, some have since come back again, having earned at the Cape enough to pay their passage home; and colonization is stated to remain unpopular at Nottingham up to the present day. Mr Burrell and Mr Adams think the English labourers are as yet too comfortable to be prepared to emigrate. We shall rejoice if it is, and shall remain so. We know, unfortunately, that gentlemen from the north, whilst visiting in Sussex, have been shocked to see the condition to which the labourers there were reduced. We ourselves have found, in travelling through the west of England, that the wretchedness and debasement of the lower orders are the first subject of conversation, which any person connected with the country, who may chance to come into the coach, enters upon; and the evidence from Buckinghamshire of the increase of crime, even with good characters, from sheer distress, will not lead us to discover the cause of a reluctance to quit their country in the comforts it yet afforded. 'There has been a wonderful number in Aylesbury 'gaol—it is distress that drives them to it.' (p. 143.) But whilst

any possible doubt can be raised upon the subject, it is plain that we must consider the discussion of national emigration, on their behalf, as a matter which may stand over till the great and urgent cases of the two next descriptions are provided for.

The situation of the Scotch and English manufacturer is widely different. Their cries for the means of exportation cover pages of the evidence, in all the language of despair. Mr Northouse begs, in the name of 11,000 persons. There are numerous petitions besides from several societies, founded for the express purpose of emigration. Mr Fitzhugh, the Liverpool agent, proves the increasing numbers, and reads touching extracts out of 150 emigration letters which he had received. The power loom, the invention of yesterday, is at this moment effecting one of those irrecoverable transitions of which we have spoken, 'invading one fabric after another,' abridging and thus dispensing with an immense portion of the manual labour formerly employed. No human foresight on the part of the Scotch and English weavers, exposed to this strange and gigantic competition, (and one which has been, in fact, lately maintained only at the expense of the poor rates,) could have saved them from the irreparable ruin in which they are involved by it. The rivalry of foreign manufactures, and the burden of increased taxation, and the difficulty of a market, &c. as created by the Corn Laws, and by other restrictions, are all concomitant circumstances beyond their control, and which, for the greater part, are not likely to be diminished, so as to afford them any permanent relief. The delegates from Glasgow last year stated, that the wages a weaver had received would not procure a sufficient quantity of the coarsest food that is used by human beings. Mr Northouse calls their distress 'the bare tenuity of life.' Those who have accepted of charity, 'have gone almost with the feeling of plunging their hands into the fire to save their lives;' and he anticipated that 'half of them would perish for want of food if 'the measure were postponed, or would build temporary resi-'dences in the public greens, and take such food as they could 'procure, by force.' He himself had already held out to them every encouragement that he could conscientiously, on the probability of emigration, in order to prevent their breaking out into riot. We cannot wonder, therefore, that, surrounded by such scenes, he wishes Scotland to be the point whence emigration should begin, in order to preserve them from a state which has already, in one sense, done its worst with the Irish people. Extracts from some interesting private letters by former emigrants to their relations, fully show what that class has gone through. 'I really do bless God every day I rise, that he was

'ever pleased, in the course of his providence, to send me and 'my family to this place. (Canada.) Were you here and seeing 'the improvements that are going on among us, you would not 'believe that *we were once Glasgow weavers!*' One can smile, too, at the expression, that 'it is a choice thing to be sick 'here;' especially when we find the following explanation— 'In fact, I am further forward with my work than any of my 'neighbours, which is always the case when one has trouble. 'The neighbours will always turn out from six to eight miles 'to forward their work—but sickness is very scarce in this set-'tlement.' The hardships of such a life are enjoyment, compared with the wages paid at home, where all the witnesses describe the hand-loom weavers as working from twelve to fourteen, to sixteen, eighteen, and nineteen hours a-day, at prices varying from 3s. 6d. to 6s. a-week. No wonder the applicants to Mr Fitzhugh for a passage dread every week's delay, which may lose them the trifling means some still possess of making their escape.

The following scenes, given in the words of Mr Hulton, are pictures as horrible as that of Ugolino; and one shudders to think that the cause that creates them in a single cottage has not been personal, but national, and holds at this moment in its grasp a great and deserving body of the people. 'Mrs Hulton 'and myself, in visiting the poor, were asked by a person almost 'starving, to go into a house. We there found on one side of the 'fire a very old man, apparently dying; on the other side a 'young man of about eighteen, with a child on his knee, whose 'mother had just died and been buried; and evidently both 'that young man and the child were suffering from want. Of 'course, our object was to relieve them, and we were going 'away from that house, when the woman said, Sir, you have 'not seen all; we went up stairs, and under some rags we found 'another young man, the widower, and turning down the rags, 'which he was unable to remove himself, we found another 'man who was dying, and who did die in the course of the 'day. I have no doubt that the whole family were actually 'starving at the time.' (p. 217.) The clergyman of West Houghton and himself found, out of 5000 inhabitants, 2500 destitute of bedding, and nearly of clothes; he was positive six per cent were in a state of absolute famine. The people were every day getting into a state of similar distress; one of the worst cases mentioned was of a person living where he was settled; for there are many ways by which those who are settled at remote distances are prevented getting their relief. Mr H. had himself visited nearly all the cottages within a large district, and could

not have conceived such distress to exist in a civilized country. The severity of this calamity has since abated, but it is suspended only by a thread. If the causes *can* be removed, and are not, we shall be ourselves guilty of its recurrence.

The Irish peasant had multiplied in his rabbit warren, partly through the ignorant inadvertence of absentee proprietors, partly through the selfish administration of middlemen, who, under terms of years, rode the estate as a post-horse, to make the most of it out of their scrambling cottier tenants; and partly by the political temptation which has led ambitious landlords to sacrifice the comfort of a well-conditioned peasantry for the excitement, vanity, or power, of a herd of 40s. freeholders. The subdivisions by which a neighbour accommodates a friend, or a father patches off a home for a son or daughter on their marriage, are only parts of the same system. The peasant was taught, by the example of his landlord, to imagine no evil in it. Besides, government has never given the Catholics in Ireland an object by which character was to feel its influence, and independence learn the value of self-respect. Meantime political economists were telling us to look at America, and see the strength of the principle of population in a career of boundless acres and prosperity, whilst Ireland was in dark and neglected misery, proving the dreadful point at which extremes may meet. If you dare disfranchise social man of all civil dignity, and degrade him to mere animal existence, he drags down at last his oppressor with him, and yields himself unrestrained to the only wild enjoyments left him,—passing on to his posterity the same barbarian encouragement for *progeniem vitiosiorem.* Nursed up under such Gamaliels, they are no more blameable for their large families, and for the moral and political consequences of their condition, than for their faith. The evil has been now pushed to a height which neither alleviation nor compromise can cure. They actually cumber the ground—at the rate of a human being per acre, or perhaps per rood. Their cabin and potatoe gardens stand in the landlord's way at his first step towards improvement. Unemployed for five months in the year, though willing to go any distance for work, perhaps not fortunate enough to get over to England in harvest time to earn their rent, they are obliged to pilfer for subsistence. What his honour puts up for improvement, his cottier pulls down through want. Clear the estate of him—you may trace him first to his bog hovel, next to the pauper suburbs of the neighbour town—and then comes fever, despair, —probable murder, possible insurrection! With half of the labouring population beyond what can be occupied at present; with more still to be thrown out of work upon the great preli-

minary movement to better times, (the consolidation of farms,) with not a chance of English capital venturing in amongst them, notwithstanding all the bribery of cheap labour, when the first disturbance may burn the manufactory and the owner in it. In the meanwhile, the number of houses in the capital is diminishing as its population is increasing; till the accumulating crowd, of 200,000 inhabitants in Dublin, passed no less than 60,000 through the hospitals in a single year.

Such *passim* is the evidence. Now, we confidently ask, where is the tranquillity of Ireland to be sought for, but in the peaceable removal of the wretched creatures whom we see fighting there for their pittance, (their right to linger on in human sufferance,) as the negroes under the hatches of a slave ship fight their way to a gasp of the fresh air? These are the elements of social order among which Mr Peel thinks it statesmanlike to throw in religious animosities besides—to embitter jealous waters, and to lend to the agitations of want a moral devotion and courageous martyrdom, that may dignify and hallow whatever outrages the mere force of outward circumstances may provoke. That conscience must be easily satisfied which can convulse a kingdom, and then find comfort in a reference to Councils of Trent, controversial divines, bigotry of former ages, and mere technical argumentation about infallibility and divided allegiance; or which can purchase that easy popularity which it is always in the power of a man of talents to obtain, when he will consent to hand his name down to posterity as the last layman of a certain age, ability, and honesty, who would give the prejudiced and vulgar (great or small) the countenance of his leadership and alliance. Thus much, however, Mr Peel is entitled to: he has spoken always in the tone of an English gentleman, who paid some deference to human reason, and had some consideration for human suffering. He has not forgotten that there is such a place as Ireland, and that its six millions have a right (at least as far as words go) to something better than the theological acrimony of Dr Philpotts, the hallucinatory passion and idiosyncrasies of Dr Southey, or the prophetical and Delphic revelations of the hidden Scriptures by Mr Irving.

At present see how the thing works. The lower class of all, the disturbing force, is kept at home by the impossibility of getting away. Emigration at their own cost is too good a thing for them. They stay within the volcano, of which they form the fuel, till the moment that it bursts. But you may as yet turn the lava your own course. Mr Rice was told, 'Give us but the 'means, and half the country will go.' Mr Leslie Foster says,

'The peasantry at this moment are quite ready to go, and take all 'chances of what may await them on the other side.' Meantime, those who have the means to leave the ship before it blows up, will naturally jump overboard. Dr Murphy tells us of 'the very 'snug farmers' who came down from the county of Limerick to Cork, and who, amongst their reasons, lately gave to him 'their 'fears that there would be another disturbance, which they never 'wished to witness again.' (p. 380.) Mr Tighe agrees, it is impossible that those who have anything in that country can be safe from plunder, or from scenes worse than plunder, if something is not done. (p. 442.) A few questions and answers between the committee and Mr Dixon, a principal land-agent in Westmeath, (among others Sir Thomas Chapman's,) will explain what this means.

2605. 'Do you not consider, that in addition to the natural 'apprehension arising from this residence of the occupying te-'nantry, there is an indisposition to subject so many persons to 'such inevitable misery as a forcible ejectment would produce? '—I am going to tell the Committee a fact, as to what I have 'done for a few years past, and that Sir Thomas Chapman did 'not know of; when people got into arrear I was to eject them, 'and I put another name in, as if I set it to another man; I did 'it in three instances, and the family are still in possession. 'When they don't pay, and are in great arrear, Sir Thomas or-'ders to eject them; I have told him I would; I told him that 'I had set it to another man, and I have done that; I know that 'Sir Thomas does not know the fact, but I tell it to the Com-'mittee; I don't want to mention it as a secret.'

2606. 'Why did you do that?—I saw the disposition of the 'country; and although Sir Thomas gave me his orders, I 'thought it better for all parties in this way.'

2607. 'What did you apprehend, if you carried the orders 'into execution?—That I would not get any one to take it.'

2608. 'Why?—*They would be afraid to take it.*'

2609. 'Why?—It is the Captain Rock system in Ireland; I 'was asked about the driver the other day, that is the bailiff; he 'is a confidential man I have in the different baronies; I could 'not get him to drive latterly for me.'

2610. 'Do you think this disposition to resist the landlord is 'likely to increase, or give way to the landlord's efforts?—I 'think it is increasing in Westmeath.'

2611. 'Do you think it is increasing in other parts of Ire-'land?—From hearsay, I believe it is.'

2612. 'What can you look forward to as the general state of

'Ireland, or what must be the state of the country, if this dis-
'position extends itself?—I don't know; it is *horrible.*'

This resistance, according to Sir H. Parnell, is founded on the strong dislike existing in Ireland to quit the place in which a man is born: on peculiar notions of right of occupancy; but mainly from the people not seeing any other means of providing for their subsistence, than by keeping possession of their land. A private letter written to Sir H. Parnell by a nobleman, (and by one who has hitherto been always residing on his estate,) introduces on the scene the only figure wanting to its completeness—the proprietor himself. 'What can we do?
'landlords will not surrender their rents, and, of course, a con-
'test will ensue between them and the people. Government
'must take their choice between Insurrection and Emigration;
'one cannot look forward without dismay; a residence in Ire-
'land is becoming a burden too great to be borne; it is bad
'enough living in the midst of distress; any attempt to relieve
'the people, only brings shoals of wretched beings from other
'places; what must it be in districts (and this will soon be the
'case everywhere) in which, in addition to this, the gentry are
'living in daily apprehension of their houses being attacked and
'their families destroyed? We must leave Ireland to the police
'magistrates, and perhaps return in some years, when famine
'and disease, and (if trade improves) a great emigration into
'England, have improved the condition of the country.' (p. 442.)
Good God! that we should have a government in the 19th century that will take no warning—that will do nothing for reconciling minds and tempers diseased and irritated by long oppressions—that will not change a system that has been tried for centuries, and has produced such fruits—and which will not believe that the time has yet arrived when the reproach made by Sir H. Parnell need be yet attended to: 'That since its con-
'nexion with England, the government of that country has never
'been conducted upon any principle of common sense or common
'justice.'

Nations cannot long be unjust with impunity; and, painful as is this reaction, God doubtless has wisely so ordained it, that when no check can be found in human virtues, there may be something of the sort created by fear, self-interest, and the physical impossibility of going further. Mr Malthus, and the witnesses who speak to it, see in the degrading government of Ireland, the original cause of those habits in the mass of the people which have been so unfavourable to their condition. If the introduction of the potatoe had been accompanied with any-

thing like due encouragement to moral comfort and civilization, the increased quantity of food would not merely have produced an increased population, but might have proved a blessing, and not a curse. Among the combination of modifying and healing circumstances by which these habits can be displaced, and the condition of the people raised, sooner or later, government must consent to come in contact with the mind and character, as well as the mere husk and shell, and reluctant service of those it governs—a Catholic must feel that the sovereign power regards him as a citizen, as well as a subject, and as a creature that has other rights beyond those of tythe, taxation, and exclusion. The interest of the landlords will ensure their perseverance in enforcing, as every opportunity opens, the removal of the redundant population from their estates; and those that remain, will be ready, as beings of a different order, to run their career. But without the direct intervention of government, it seems impossible that the landlords, except under indefinite delay and suffering, should be able to accomplish by themselves so vast a task. Mr Malthus evidently contemplates these measures as simultaneous, and on that supposition says, 'I should not expect it to be accomplished without emigration; and one of the cases in which I think a government is called upon to make a great pecuniary sacrifice, is where there is a prospect of some great and beneficial change; which change cannot take place without such sacrifice, unless you are disposed to overlook the greatest possible degree of misery.' In this view, the classification, as proposed, follows the order in which the personal pressure and public interest unite. 'The classes of emigrants which your committee contemplate, as those which should have a prior claim to government assistance, are, 1st, Irish tenants who have been ejected from small farms under the operation of clearing the property, which is now taking place as part of the national system in Ireland. 2dly, Those tenants who are upon the point of being ejected, but whose ejectment has not actually taken place. 3dly, A class which perhaps can hardly be included under the name of tenant, the cottiers who occupy a cabin, with an extremely small portion of land, and who, unless they can obtain employment, have no means of paying their rent; and, 4thly, Cases in England and Scotland, which must be made matter of special reference, to whatever authorities may direct the course of emigration.'

Under the notoriety of the facts relating to the population, especially of Ireland, there can be no difficulty in assuming, that in proportion to the means of employment, it is grievously abun-

dant. After the warning which all parties have now so painfully received, there is also surely no impossibility, (when the balance shall be once re-established,) in devising precautions, which will prevent a recurrence of the evil to the same extent. In such complicated questions, we must be content to act upon probabilities and degrees. The interest of landholders and occupiers is identical, and they have learned pretty well how to protect themselves, both in England and Ireland. The exceptions may be, owners of bits of land, who would speculate in pauper cottages; the middleman, with only a certain term to run on land, out of which he may seek to squeeze a usurious rent from cottier tenants; or the middle sort of manufacturers, with little capital, and no education, who pay their wages in shop-stuff, screw their cottagers, and are described by the Bishop of Chester as a class taking little interest in the local prosperity of the place where they live, and caring for nothing, but how they can make the greatest sum of money in the least time. A tax on cottages to be fixed, as Mr Cosway suggests, at two successive vestries, with a power of appeal to the Quarter Sessions, would make the first sufficiently amenable to the poor-rates. We would, on so clear a public policy, tie up the hands of the second, in cases not included within the act to prevent subletting; and we would make the master manufacturer more responsible to the poor-rates, by imposing more directly upon himself, according to circumstances, that burden to which he is now indifferent, as he can transfer most of it to other shoulders.

To what degree in the conduct of such an emigration, it should be national or local, that is, what proportion of the contingent expense should be borne by the public, and what by particular districts or individuals, is matter of secondary inquiry and arrangement after the principle is acknowledged. The willingness of the English parishes to contribute part, is proved, in some measure, by the example of such as have already paid the whole. The evidence on such a point must, of course, be very much matter of opinion. They who wish to follow out these indications, may turn for the supposed opinion of agricultural vestries to questions, 422, 567, 592, 614, 1152, 1563, 2215, 2248, 2365, 5873, 4127. It is doubted, with respect to the manufacturing rate-payers at Blackburn, 2041; those at Carlisle, 2861, plead their inability. With respect to Scotland, we are sorry to see that some dissatisfaction existed on the part of the London Committee for the Relief of the Manufacturing Districts; the Bishop of Chester says, 'That committee all along 'considered enough had not been done in Scotland by the in-'habitants of that part of the United Kingdom, for the relief of

'their local distresses. I do not wish to cast the least reflection 'on the exertions made in Lanarkshire and Renfrewshire, which 'have been highly praiseworthy. *Our* receipts from Scotland 'have been almost none—it ought not to be forgotten that the 'most distressed of the manufacturing districts in England 'have to the last contributed liberally to our funds. Thus 'much I must say, we did not, at the outset of our labours, ex-'perience that cordiality on the part of the leading people of 'Scotland, which we thought we had a right to expect: they 'came and asked for large sums, but they would not tell us 'what they would do at home.' (p. 235.) Mr Campbell, the Sheriff-substitute for Renfrewshire, on being asked whether the county would contribute one-third of the expense, replies, 'It 'may seem a reproach on the county of Renfrew for me to say, 'but I really do feel it necessary to say, in answer to the ques-'tion, that I do not believe the county of Renfrew would will-'ingly submit to any county rate of that description that they 'could possibly resist. (p. 188.) I am afraid, without meaning any 'disparagement to the inhabitants of Renfrewshire, that nothing 'short of some alarm, from great numbers being out of work, 'will be sufficient to produce any renewed general contribution.' (p. 188.) On the other hand, the answers from Mr Kennedy and Mr Campbell, M. P. to questions, 194, 227, and from Mr Northouse, 780, are much more encouraging. Mr Maxwell, 683, conceives they might contribute. As far as the difference of this feeling between the kirk-sessions and the English vestries, towards charging their rates for this purpose, depends upon any supposed difference in the law of the two countries, we cannot see any distinction between the two laws sufficiently broad to bear out that argument. Not to mention the words in the act of 1663, which are stronger than those in any English act, '*persons unemployed*, being masterless, and out of service;' it is impossible to read the leading statute of 1579—find there the words 'aged, poor, impotent, and decayed persons'—and attend to the judicial history of the course pursued, after one decision, as stated by Mr Campbell, with 'the great importance of 'which it was deemed to prevent the last case from being tried 'upon its merits,' (p. 192,) without perceiving that Scotland owes its exemption from the practical burden of these laws, to the superior prudence of those who have administered them, and not to any substantial difference in the letter of the law. The heritors, who had to charge themselves, have been more wary than neighbouring magistrates, who were only putting their hands into other people's pockets. With respect to Ireland, an extreme willingness to contribute whatever portion of

the expense could be reasonably expected is, with slight variations and shades of expression, the almost unanimous sentiment of every Irish landholder or agent who is examined. The principal answers will be found to questions 1020, 3068-9, 3089, 3132, 3159, 3561, 3953, 4213, 4296, 4322. Mr Tighe (p. 443) urges strongly the measures and objects which ought to be concurrent; but we fear that he sees less difficulty in the machinery of the annuity plan, by which the particular lands to be relieved by emigration, shall be made chargeable in the county rate, than, under the cases of mixed, leased, and encumbered properties, must practically arise, as is ably put by Mr Leslie Foster.

It is one of the many mistakes of intolerance and selfishness, to consider Catholic Emancipation as an *English* politico-religious question only, and then to make things straight, by admitting that the misery and multitude of the Irish are a matter in which the Irish solely are concerned. The mass of misery that has collected there, hangs loosely by a few breaking fibres, and is prepared at any moment to precipitate on all within its reach. The returns from two or three properties may give a notion of the disruption or irruption that impends. 'I am 'now making a list of the population upon one property. I 'have gone on to the extent of 23,771 Irish acres, and I find a 'population of upwards of 18,535 souls upon it.'—Mr Strickland, p. 336. The numbers migrating from Mayo, Roscommon, and Galway, are every year increasing, and bringing back more money from England. The small tenants actually pay rent for land far beyond its real value, not out of its produce, which their own mouths consume, but out of the produce of their labour in England. 'So long as they exist upon the farm, they 'continue, by means to me inexplicable, to pay their rent; but, 'suppose egress to be entirely precluded, my opinion is, that 'starvation and failure of rent would be the immediate conse-'quence.'—Mr Strickland. And thus we see the Irish landlord, like the English manufacturer, (between begging with one, and poor-rates with the other,) getting an extra profit, which they are entitled to in the ordinary course of things, in reference to the article each provides. Rent so extravagantly disproportioned is not more legitimate rent than if levied as such upon gipsies in a lane. The Honourable Mr Stanley gives the following sketch of a small estate, into which he had personally inquired in the county of Limerick:—It consisted of 400 acres, part mountain, part flat red bog, the rest poor land. A middleman had contrived to congregate upon this paradise 600 inhabitants. The number have been recast down to 339. It will easily be be-

lieved, whilst they have no further occupation or means of subsistence, that the nominal rent of 17s. is paid to them, rather than by them. At three or four days' notice, seventy-nine of them offered to emigrate. (p. 460.) Mr Marshall of Kerry found, upon coming of age, his property encumbered with a surreptitious tenantry, accumulated during a remiss minority. He expelled 1100, and had yet sufficient. They dispersed; some under a neighbouring middleman, others to beg, others to England. But he admits such an experiment could not have been made with safety either in Cork, Limerick, or Tipperary. It being known that he was carrying on an extensive embankment, hundreds flocked in for ten miles round—some not having tasted food for two days. The generality were so weak from starvation, that his steward was obliged to feed them for six weeks before they could execute men's work. They are ready to go anywhere, from a conviction that any change must be for the better. (p. 407.)

These are the locusts, swept forward by the breeze, and ready to eat up every green thing. These are the swarms from a region more populous than the northern hive, and seated at our own door. Independent of all calculation, they must move backwards and forwards, from the agony and restlessness of want at present, as a sick man turns in his bed, or the bewildered sufferer paces up and down his cell. But every advance of wages on this side the water, of course, will bring a man from his sod cabin, or his few branches thrown over a dry ditch, where straw is his bedding, a blanket his covering, and a potato-pot upon its crock, with 10s. worth of furniture, his whole establishment, over to a scene where he can advantageously struggle for employment against the natives, who have been accustomed to those decencies of life which characterise a human being. The only limit to this pacific invasion must be the consequent depression of wages, beat down by competition within a fraction of zero, so that it is no longer worth while even for an Irishman to come. Mr Campbell says, from what he has seen with his own eyes, some of them can do without anything that deserves the name of furniture or bedding, (p. 191,) 'They gra-'dually assimilate to the people of the country, but they also 'cause the people of the country in some degree to assimilate to 'them. They have no notion of that degree of expense which is 'essential to a Scotsman's comfort.'

We see no shadow of probability that employment can be found for these foundling outcasts at home. No witnesses but Mr Strickland, p. 332—337, and Dr Elmore, p. 465, hint at the possibility of furnishing the poor with occupation in Ire-

land. Mr Nimmo would go a certain length only, in the application of public money on the bogs; for any spent upon the agricultural part of the process must become a job, p. 337. Mr Leslie Foster (who was on the commission) expressly asserts, that if we could suppose all legal obstacles surmounted, and the reclamation of the bogs to be attempted to-morrow, it would, in no degree, restore the proportion between the supply of labour and the demand, as contemplated and required, p. 343. According to the answer of Mr Malthus, any attempt at partial and temporary stimulants, as public works, cultivation of poor lands expressly for employment, &c. must end in failure, and in an aggravation of the difficulties of over-population.

The whole evil of the present condition of Ireland arises, from the number of its people having reached a lamentable excess beyond its capital and revenue. It is agreed, on all hands, that the last will not come by calling for it—the country must be first quiet. It is equally admitted, that it can never become so, with its present number of unemployed peasants. If, when an Englishman is idle, although the process of digestion may be faithfully performing, yet the devil, it is said, sets him to work; what may we not expect of the same evil spirit in an Irishman, with a hungry belly, too, that proverbially has no ears? As the restoration of this lost proportion cannot consequently be attained by an increase of capital in the first instance, it must begin, if at all, by a reduction of the population. But this will not take place in a natural way, and of itself. When, by the change of system which Emigration will enable the proprietors to introduce, (and Emigration only,) you have given this unfortunate people some notion of comfort, higher motives will put upon them, as upon other nations, that moral restraint, which leaves comparatively little to be done by its more dreadful substitutes. Hitherto population has gone on multiplying its interminable ciphers, without any proportionate increase of capital to justify it, on the mere strength of the potato only; according to the Returns, doubling itself in forty-five years, or, according to Sir H. Parnell, who treats the Returns as too inaccurate to be depended upon, in thirty years. Mr Leslie Foster indeed thinks that the population is at this moment nearly stationary; but all the other Irish witnesses concur in believing its rapidity to be within a few fractions equal to that of any former period, and to be thrown up out of the miserable class which emerges just above the lowest. The present population, calculated upon the census of 1821, is seven millions and a half. In 1695, Captain South, a Commissioner, in the collection of a poll-tax, placed it at 1,034,102. The numbers now, be they a few thousands more

or less, are the acknowledged terror of the community. In the time of Sir W. Petty, who knew Ireland better than any man of his day, the contrary was so notoriously the fact, that, after recounting the other difficulties against which the country had to strive, he pronounces the want of people to be the most serious of all. It is too late to regret the absence of all precautions in the observation of its growth, and the disposal of its numbers. We do not know whether Mr Godwin would accept this portentous and increasing series as a set-off against the decayed towns and rotten boroughs of England, which, among other matters, induced him, in his reply to Mr Malthus, to state gravely, that whatever may have been the case respecting the world beginning with one couple, he thinks very probably it may end so.

The Irish then have practically decided, that emigrate they must,—the only question for us to determine, is, whether it shall be to England or to America. Dr Elmore, speaking last June, believed that the movement into England had increased vastly in the six months preceding; not for pleasure certainly, but from imperious necessity—for it is far from being their Mecca, and is indeed the last place they would willingly approach. Mr Rice states it to have swelled infinitely, and to have assumed a totally different character. 'In the former years, the Irish labourers who came over to England came over for the harvest, 'and returned again, because they were in those former times 'possessors of small farms in that country; but the new Emigration, namely, the emigration of persons who have lost their 'farms, has a tendency to produce a settlement of the poor Irish 'in England; they come over, not for the purpose of earning 'their money in harvest, and returning again to Ireland, though 'some, and many of them, still come in that character; but 'there is another class of emigrants who come over, if possible, 'to fix here and remain; of that class, it is true that there is a 'forced return produced under the operation of the Poor Laws. 'I should wish to add, that, taking into account the difference 'of wages paid for labour in the two parts of the United Empire, and the extraordinary facilities and cheapness with which 'the population of Ireland can now be transported, or transport 'themselves, into Great Britain, unless there is some facility 'afforded for the emigration of the Irish poor to the Colonies, 'there will be an increasing number of Irish poor annually, 'claiming a settlement in this country; and the tendency of the 'entire system will be to reduce the rate of wages in England 'to the level of those in Ireland, or to a middle point between 'both, and thus to degrade the habits and condition of the people

'of England in that precise proportion.' (p. 449.) He describes the three great channels through which this current flows—1. northerly to Scotland—2. from Dublin to Liverpool as the middle passage—and, 3. from Cork to Bristol. Sir Henry Parnell calls the steam-boats floating bridges, of which there are from fifteen to twenty passing daily between the two countries, carrying over such numbers of poor Irish labourers, that it is utterly impossible (the wages in one country being five or six times higher than in the other) but that the potato-fed population shall at last bring down the wheat-fed population to its own terms. (p. 452.) The steerage fare varies, according to other witnesses, from 3s. 6d. to 1s. 6d., and is stated, in some cases, as low as 6d.

The French talked about there being no longer any Pyrenees; we may say, there is now no Irish Channel. Subscriptions have been formed at Clonakilty and Cork, expressly to defray the expense of transport, and many weavers have been thus sent, (p. 449—466)—

By the Return from London Mendicity Society, the Irish applicants in 1826, were 3811
Those to the end of May 1827, ... 4287,

being an excess of 476, in five months only, beyond the whole number in the whole preceding year. By a list made out from the Registries of sixteen Roman Catholic chapels in London and its neighbourhood, the Irish residents in London, in 1819, were 71,442—in 1826, 119,799.

The effect of this immigration has been such already, that Mr Campbell thinks, in the midst of the distress at Glasgow and Paisley, that if the natives of Scotland had been alone concerned, there would have been no surplus population. In this case, the presence of the Irish was a principal cause of it. The proportion of Irish relieved at Paisley was about one-fourth; including those who applied for a free passage back, it would exceed one-half of the whole number on the county rate. Within the year ending last March, 1517 were removed by a sort of moral compulsion, back from Paisley to Ireland, having their passage paid, and a loaf given them for the day. Some of them had gained settlements; but they were ignorant of their legal claims, or, aware of the jealousy existing, were distrustful about its being acknowledged. The numbers remitted from Glasgow were still greater.

But this system of forced return, where applicable, can only apply to those absolutely wanting relief, whilst the injury on the community at large is done by the insufficient remuneration for labour, which the Dutch auction they previously create produces.

However, the limits even of this system are soon reached. Mr Hulton says, that the expense of passing home Irish paupers, according to the act, prevents its provisions from being carried into effect. For the simple removal of Irish paupers from Liverpool to Dublin, the county of Lancaster paid, in 1826, L.4000. Mr Hulton, to the same purpose, says, that in the neighbourhood of Carlisle the parish discontinued the practice of removing the unsettled Scotch and Irish, and relieve them as casual poor. The casual relief had consequently trebled within the last twelvemonths (p. 282.) There can be no possible objection upon public grounds, to depriving both the Scotch and Irish of any claim to relief in England as casual poor, or to abolishing the system of passes, as no presumption, even in law, can be raised in these cases, that the parishes to be charged have derived a benefit from the labour of the party where no settlement has been obtained, and because there is no mutuality between the countries. But this leaves the national evil untouched, for the Irish would still pour in, upon the speculation of employment in a market which they can undersell.

The difficulties respecting the price of labour should be thoroughly investigated, and, when once generally understood, resolutely faced. Cheap labour, like cheap corn, or any other article, is, in itself, only honest, whilst natural; and only advantageous, whilst it can be so got without the ruin of its producers. But when the cheapness is the consequence of an artificial mixture of fraud and force, by which the manufacturer makes charity or the poor-rates contribute towards the maintenance of his workmen, every shilling paid in aid of wages operates as a bounty of the worst description: only enabling foreigners to purchase in a foreign trade, thus violently extended, the produce of such labour at far less than it has really cost, and this at the expense of the rest of the community. Unless a thing can pay its own way, we may be certain that we are wrong. Thus far the correction is no hard problem. The further state of things it is more easy to lament than remedy. But upon any principle, surely nothing short of financial desperation can find satisfaction in rows of figures, without considering what they truly represent. It never can be really for the interest of a country, (looking to the sum of human happiness,) to make the amount of exports, &c. the test of national prosperity, under such circumstances as show that this amount has been attained only by a rate of wages which implies the misery of that great majority whose sole commodity is labour. The taint spreads far; it is the least part of the injury that the humane and generous tax themselves in the first instance to relieve the misery thus caused by the short-sighted

extortion of their neighbours. A full penalty, moral, political, and even pecuniary, is at last imposed by it upon all. In every corner of the realm it has been bitterly experienced that labour may be too cheap. Every remedy will be merely tampering with the intermediate steps of this national disease, that does not, we will not say include, but begin with Ireland. It is folly, because the Irishman's name is not entered in the poor's book, to suppose, when his competition has supplanted your own labourer and thrown him on the parish, that you are not paying his rate in another name. The battle of the three kingdoms on this great argument must be fought in Ireland. Emigration from Great Britain tends to raise wages here, and only brings the Irishmen over so much the faster. Emigration from Ireland raises the wages there, and gives him an inducement to stay at home. If you postpone Irish Emigration, the condensed population of particular districts must prevent the due management of estates, and the growth of a middle class—and hence the presence of disturbance and insurrection, the absence of manufactures and of industry—an additional fall of Irish, as compared with British wages, and an additional influx of Irish paupers across the Channel.

Two alternatives have been mentioned. The first is the introduction of Poor Laws into Ireland. We have certainly never been more surprised, than that several persons who must have travelled by such very different roads to it, should have arrived at this conclusion. Laws of this nature are among the things which seem irresistible in any particular instance, but are pulverized by the test of general consequences. In the present state of Irish property, population and character, they would be national confiscation. A general meeting to which every one was admitted, voted something of the sort at Cork, but it was scouted by the householders in their parishes. According to the evidence of Mr Malthus, upon the introduction of such a system into a country circumstanced like Ireland, the rates would very soon absorb the rentals of all the estates, and on the whole and finally only aggravate the misery. (p. 313.) The second device is, Laws of Non-intercourse, Passports, Securities. The witnesses admitted that regulations of this description would be enforced with such difficulty, that we should probably get the odium of them and nothing else—Surely the Irish have enough of exclusions without this. It would be worse than that act of Charles II., whose scandalous history may be seen in Clarendon's Life, when Irish horned cattle were stigmatized in Parliament as a nuisance. The principle which admits their corn, includes themselves. It would be drawing an unconstitutional

line between integral parts of the British Empire—it would be raising a distinction totally inconsistent with the Union, whose very existence it must shake. Nearly two centuries before the Union, there is no less authority than Lord Coke's, that the ancient acts passed against the coming in of poor Irish scholars, &c. were, *ipso facto*, void. The unguardedness of the expression shows the sacredness of the principle. But these were the very words of Mr Pitt. All the arguments of Burke against taxes on absentees, apply, as well as those by which we leave our own absentees abroad their vagrant privilege, though abused by every pretext of vanity and selfishness, parsimony and pride. Ireland is either virtually another English county, or an independent state. The next step will be to petition against Scotch gardeners or Scotch professors.

A Regulated Emigration, so extensive as to be substantially beneficial, must stand or fall on the supposed necessity of its adoption. We are sure, that if necessary at all, it is as much less dangerous, as it is infinitely more serviceable, than either of the substitutes that we have alluded to. Civil and military expenses, at present ill applied in Ireland, but which might be transferred to this object, and ultimately dispensed with altogether, would go far towards meeting the charges. What may be saved thereby out of the awful future, God only can tell. Abhorring family differences and distinctions, and not disheartened though disappointed at recent changes, we look to the time of a communication of equal rights, and equal happiness—an interchange of people, as well as of militias.

Let us then resolve at last thus to regenerate Ireland. We shall all find in it our several advantages. The labouring classes would at once see closed before them that chasm, which is now widening every day, and crumbling down the very precipice upon which they stand, threatening to swallow up all possible means of instruction, respectability, and independence. The farmer may perhaps understand, that if Pat learns to eat his own corn, less will make its way into Liverpool market-place. The manufacturer, that as soon as the Irish peasant feels a clean shirt and stockings to be pleasanter things than a bundle of rags, scarce enough to frighten a blackbird from a cherry tree, a prospect for a demand may open upon him nearer than the East Indies. The capitalist may find at home (for such is Ireland) a safer profit than in speculations with caciques, or loans to Ferdinand. And the Orangeman (whilst it must needs be so) will be surrounded with less inflammable temperaments, which he may perhaps then insult a few years longer with better chances of impunity.

We should say farther to the Protestant, you will then obtain a fairer hearing for your arguments, when they no longer issue from the suspected camp of the oppressor,

'Nor truths divine come *poison'd* from your tongue.'

We would add to the Statesman, give to all your subjects equal laws and equal civilization, and then you may pursue your foreign policy unshackled by domestic fears, and regain your character in Europe, whose taunts now close the mouth of every honest Englishman, whether at Rome or at Vienna; whilst *Polish Ireland*—the *Sicily of the West*, is made a proverb, and a place which foreigners are sent to look at, that they may be disabused of their Anglomania, by this spectacle of our folly and injustice! Lastly, we would tell the English people, that of their public debt to Ireland, (six centuries of misgovernment,) the first instalment is yet unpaid; that if they are not now prepared to make every effort, (and among these emigration is one of the easiest,) they had better have let the million, whom their charity five years ago rescued from the grave, have then perished, than thus keep them, year after year, stretched on the rack of an existence that will only have been prolonged for further capacity of torture and of endurance. If nations will commit great errors in policy and justice, either by misleading, through their magistrates, the common people, with promises of maintenance, which themselves create the final impossibility of their performance; or by disorganizing all the higher principles and tendencies of our nature, till man has little left beyond the headlong instincts of the cattle by which he is surrounded, and among which he is treated as scarcely chief, except that he can poll at an election—in such cases, a government, being thus guilty of the consequences, is bound to step forward with repentant, decisive, and comprehensive atonements, and to close its ears to no measures of retribution, but such as would either aggravate the original, or only substitute new and greater evils.

It is proposed that the *local* contributions should cover both the removal of the emigrant to the place of embarkation, and his passage to the colonies. In the event of no sufficient demand for his labour upon arriving there, the *public* loan of L.60, and an allotment of 100 acres, more or less, will be offered him, upon the principle of a repayment by instalments, commencing with the 7th year, and secured upon the land and its improvements. The cordial assistance of the colonial legislatures, who are as much interested in the addition to their population, as we are in the reduction of ours, is of course assumed. The government emigrant, as head of a family, is to be (subject

to as few special exceptions as possible) under fifty; and to be in health, of character, desirous himself to emigrate, and at home so thoroughly an unemployed pauper, that no diminution of national production can arise by his removal. So far from an abstraction of labour and capital, in proportionate quantities, being the result of such a measure, whatever labour is about to be thus removed, is unproductive labour, and in a public point of view, worse than nothing—whilst the capital to be expended in this removal, (supposing it even never to be repaid, directly or indirectly,) is only a small portion of the amount of the unproductive capital which must be otherwise spent in the pauper's unprofitable maintenance at home. The money *will* be spent upon them—the only question is, shall it be wasted here to their misery and our total loss, or thus advanced for their certain happiness, and with every probability of great national advantages. An order of removal to be served on so many thousands of our countrymen, though granted as a boon, and received with gratitude, is still a melancholy necessity—a painful penalty upon a state of things, arising out of a complicated and neglected system. Yet in waste of money and of suffering, it is nothing in comparison of what is going on at present, where, (to take a single instance,) we find the population of a place like Macclesfield diminished by 6000 compulsory removals in a single year.

ART. X.—*The Resurrection of Believers, and Christ the Author of it: A Sermon, Preached in St Cuthbert's Church, on Sabbath, August* 19, 1827, *being the Sabbath immediately after the Funeral of the late Sir H. Moncrieff Wellwood, Bart. D.D.* By Andrew Thomson, D.D. Minister of St George's, Edinburgh. Fifth Edition. Edinburgh: William Whyte and Co. 1828. Pp. 51.

THE conduct and character of the great Father of our national church, whose decease called forth this masterly discourse, present a worthy theme of contemplation, as well to the divine as to the politician. Few men have ever run a long course of public and private life with more universal esteem, or have more owed to the sterling qualities of their nature, the high estimation in which they were held. Endowed with a masculine strength and plainness of understanding rarely equalled, and cultivating all his faculties with a preference to the solid over the showy, truly characteristic of his natural force of mind; possessing in an enviable degree both quickness and penetration to

reach at once the substance of things, and to tear off the crust that enveloped it, he was, both in public conflicts and in the intercourse of domestic life, one in whose presence nonsense, and imposture, and sophistry, and affectation, could not live. Gifted with as clear and instructive a manner of imparting information as ever man had, it was hard to say whether he most excelled as a teacher or a combatant; whether he shone most, and did most good, in conveying knowledge and enlightening dark passages, or in wrestling with and overthrowing error. But the manly habits of his whole mind, his feelings as well as his judgment, made him regard the shining with indifference, perhaps with contempt, and value only the good he did. Accordingly, he reaped the reward of those who seek not fame, but follow the course that lead to it: Fame, unsought, followed him.

Descended of an ancient and honourable family, Sir H. Moncrieff early devoted himself to the humble but useful labours of the Scottish ministry. His sense of religion, which was deep and solemn, and attended and animated him from his childhood to his deathbed, conspired with his taste to point out this course: And he pursued it steadfastly and zealously—not as the hireling who makes the vineyard of the Lord a place of earthly wages, but as he who feels the high importance of the work he has to do, and looks for his reward where moths cannot corrupt, nor thieves break in and steal. To him the church was not a worldly profession, taken up in preference to the army or the bar, which chiefly attract others of his station. He followed the vocation as one having indeed a call to do the work of God. He was truly, and in the ancient and best sense of the word, a Godly Minister—the legitimate descendant of those who, because they followed the dictates of their consciences, devoted their lives to the discharge of their duties, and sought death in a good cause, have become the laughing-stock of the witlings in modern times, who are ranged on the side of abuses and arbitrary government, for no better reason than that, besides leaving us the example of their pure lives and heroic deaths, they bequeathed to us also the benefits of a free constitution, formed on the ruins of the tyranny their valour and constancy had overthrown. Of this illustrious class of patriots and saints, the unceasing admiration of the wise and the good in all ages, was Sir Harry. Had he lived in their day, his blood would assuredly have been mingled with theirs, in defending the cause of civil and religious right, which his manly eloquence and powerful reason had upholden. In our own times he was the faithful adherent of the same good cause, —the apostle of the same sacred principles; and nothing but the

dread of his frown prevented him from being also, like them, the scorn of the same servile and self-interested tribe of little wits.

He was originally established as a parish priest in the country; but while yet a young man, he was called to the largest parochial charge in the Scottish capital. There, with above 50,000 souls committed to his care, he rejected all idea of the pluralities, of late years so hurtfully introduced into our establishment, contrary to its fundamental principles. He was never a candidate for any professorship, or any lecture; he faithfully did his Master's work, preaching to all, saving many, instant in season and out of season; fearing the face of no man, and teaching and declaring what he deemed to be the truth, with the firmness of purpose, and the vigour of execution, which he thought suited to the wants of those he served, and the weight of his commission. Accordingly, no one ever enjoyed a more universal or constant popularity; and that not as a favour acquired by unworthy artifices, by flimsy ornaments of speech, by courtesy of demeanour to his flock, or by associating much with them, or even by doing what no man, nor any ten men, could hope to do, visiting all the sick, and all the poor, in so vast and scattered a district—but by diligently bestirring himself in the appointed work of preaching the Gospel, for which, as his highest duty, he felt a warmth of zeal that had been kindled in his cradle, and after the frost of eighty winters, burnt bright to the last, when it illuminated his dying bed. 'I delight to preach,' said the expiring Pastor, 'but I 'shall never preach there any more—I shall never speak a word 'to that people again.' Then, with firmness though with difficulty, he added, 'I could go over the whole earth, to preach the 'doctrine of salvation by the Cross of Christ.'

His talents as a preacher, accordingly, were of the very first order. There was nothing paltry, or affected, or vain, or worldly, in either the matter of his discourse, or the manner. He spoke with authority. Delivering a great message to the congregation, and rejecting with disdain all the petty arts by which lesser men on lesser occasions seek to win to themselves the attention of an audience, he sturdily assumed their attention as his undoubted right; for gaining which, he would make no sacrifice; for receiving which, would render no thanks. He had it, indeed, without the asking; and he went on from the beginning to the close, as if he knew he had it. His manner was firm, manly, decided, even somewhat peremptory; but not harsh, not dogmatical; it was the manner that becomes a minister of God officiating at his altar, humble, indeed, when he has to offer up his people's supplications, but authoritative in declaring to that

people his Master's will. He has nothing to do with the arts by which the poet seeks to please, or the songster to tickle the ear, or the player who struts his little hour to raise fantastic emotions, and sound out some tale of woe: Nor has he to implore favour at the hearer's hands, nor to mislead by persuasive topics, nor to argue and wrangle upon doubtful matters of worldly expediency, nor to call up the bad or the doubtful passions of our nature, by setting up one frail man over another in estimation or in power. But his function is to declare the things of God—to proclaim his promises as the herald of a higher power—to affright men from vice, by painting its misery and its perils—to keep men steadfast in the faith, by calling them back when they stray, by upholding them when backsliding, by arousing them when slumbering over the things that belong to their peace. That these high offices were performed worthily and steadily, but with all earnestness, and with all tenderness, by this great presbyter, we have the impressive and eloquent testimony of his favourite disciple.

'I have still to speak of him as a minister and a herald of the everlasting Gospel. He esteemed it his highest honour to be employed in proclaiming the glad tidings of salvation to perishing sinners—in delivering to them the message with which he was intrusted—and in 'testifying to all the Gospel of God's grace.' And though the greatest of human beings is not too great for such an office as this, and though the reality and the power of the Gospel depend not on the opinions of men, yet I have often regarded him with admiration and reverence, and have felt myself become stronger in the faith of a suffering Redeemer, when I saw a man of his vigorous intellect, of his varied experience, of his masculine character, and of his station and influence in society, ascending the pulpit which I now occupy, that he might 'preach Christ and him crucified,' and that he might preach this humbling, offensive, and despised truth as the truth of God, as the object of his own settled faith, and as the foundation of his own fixed and delighted hope. I need not tell *you*, my friends, of this congregation, how faithfully he 'declared to you the 'whole counsel of God'—how ably and how clearly he opened up the Scriptures for your instruction—the force and distinctness with which he addressed your understandings—the unction and the fervour with which he appealed to your hearts—the anxiety which he displayed to alarm the careless and the impenitent—the tenderness which he showed in speaking consolation to the afflicted—the encouragement that he presented to the timid, the dejected, and the wavering—the reproofs which he sent home to the consciences of the backsliders—the seasonable admonitions which he gave to the young and to the old, to the rich and to the poor, to men of every rank and of every condition—the uncompromising fidelity, and the unaffected earnestness, with which he testified to one and all of you, 'repentance towards God and faith towards 'the Lord Jesus Christ,' with which he mingled the doctrines and the duties of the Christian life as inseparable from one another, and with which, in all that he spoke to you, he exhorted, besought, and persuaded

you 'by the mercies' and 'by the terrors of the Lord,' to 'flee from 'the wrath to come,' and to 'take hold on eternal life.' In this work of preaching the gospel he had peculiar pleasure—his whole heart was in it—he always spoke of it with something like fondness—he performed it with great punctuality, even after the feebleness of advanced age had come upon him—and there is not one of the youngest and most diligent ministers of our church who is more careful, more assiduous, more unremitting in making his pulpit preparations, than *he* was, down to the very last time that he conveyed to you his Master's message. And one of the latest things that he said to me, indicated that he thought of his office in all its importance, and that he thought of it with delight, even when his ministry was closed for ever. When mentioning to him, on the communion Sabbath, that I had to leave him, in order that I might be in time to officiate for him here, he said, with all the ardour which he was capable of expressing, 'I delight to preach—but I shall never 'preach there any more—I shall never speak a word to that people again.' And then he added, with firmness, though with difficulty, 'I could go 'over the whole earth, to preach the doctrine of salvation by the cross 'of Christ.''

It may not be known to our readers in other countries, that the courts or judicatories of the Scottish Church, besides their ordinary functions as ecclesiastical tribunals, possess a kind of legislative authority in all matters tending to the interests of religion and the establishment. Their deliberations, therefore, especially those of the supreme body, the General Assembly, which meets yearly at Edinburgh, and is holden with much solemnity in one of the ancient churches of the city, possess extraordinary interest, of a mixed political and religious kind. In these meetings, Sir Harry (we name him as he was called all over Scotland, without the superfluous addition of a sirname) was a constant and a most powerful attendant. He deemed it a most important clerical as well as civil duty, and second only to his ministrations at the altar. The following passage faithfully describes him in the exercise of this function.

'The attendance of ministers on our ecclesiastical courts he always considered as a matter of essential moment. However faithful and laborious they might be in their parochial sphere, he regarded the church judicatories as another sphere where they had important obligations to fulfil, and where they had opportunities, if not of securing right decisions, at least of preventing serious evils, and of bearing an open testimony to the maxims and the doctrines and the practices of a purer age. He himself gave an example, in this respect, of the lessons which he taught to others; for so long as his strength was equal to the task, he was found steadily at his post, assisting at the deliberations that were carried on, and doing what he could for the interests of religion and of the church. For engaging in the business and discussions that were introduced on those occasions, he was admirably fitted by his acquired talents, as by his natural gifts. Whatever was the subject of debate,

or whatever was the nature of the cause at issue, he was prepared for throwing upon it almost all the light it could receive, and for guiding it to a just and advantageous conclusion, by his correct acquaintance with the principles of our ecclesiastical constitution—his minute knowledge of the forms and statutes and decisions of the church—his power of separating between the intrinsic and the adventitious circumstances of any question that came under review, and his energetic application of all the varied resources of information and of skill which he brought into the field, and wielded with the hand of a master. And many of you, I doubt not, have often listened with delight to the lucid statement, the forcible argumentation, and the bold, fervid, masculine, eloquence which, if it did not command the assent and determine the judicial conduct of those to whom he addressed himself, gave them at least a strong, irresistible impression of his talent and his sincerity, and rendered it a difficult achievement for them to resist his measures, and to adopt their own.

'When I think of these things—when I look back on the course which he thus so long and so splendidly pursued—when I reflect on the power and the rectitude of his doings as an ecclesiastical ruler—when I consider that his single object was to advance the cause of Christianity in our land, and to render our church its blessing and its glory—when I remember how dear that object was to his heart, and how strenuously and mightily he wrought for its accomplishment—and when I bethink myself of the melancholy fact that he has been taken from us, and that we shall see his face, and hear his voice, and profit by his labours, no more, I cannot help exclaiming, as Elisha did, when with amazement and sorrow he saw Elijah carried up into heaven, 'My father, my father! the 'chariot of Israel, and the horsemen thereof!''

His religion, as it was that of reason and freedom, was most abhorrent to all bigotry and all intolerance. Strong as his feelings were on sacred subjects, nothing ever revolted him that came in the shape of argument, and seemed to have truth for its object. Universal toleration was his principle; or if he would not so announce it, it was only because the term seemed to describe as a boon what was indeed an imprescriptible right. Civil disabilities for religious creeds—tests for worldly offices, taken from declarations of faith—he rejected with indignation, as the highest injustice towards men, and as the worst degradation of religion. But to prostitute the most awful mysteries of our faith, by making them the passport to the basest temporalities, he regarded with abhorrence as profane and impious. In all matters civil and religious, liberty found him her steady, undaunted, uncompromising champion. His zeal was tempered by sound practical information, admirable discretion, great knowledge both of man and of men; nor did his conversancy with the things of another world prevent him from bearing his part in administering the affairs of this, as far as his duty to God and man justified or required his exertions. The constitution, as founded in old times, or rather growing up gradually as found-

ed upon the rock of lawful resistance by the patriots of the First James and Charles's time, and as finally purified by those of the Revolution, he well understood, and firmly supported. 'He 'was a Whig of 1688,' to use his own memorable declaration upon one of the last occasions, if not the very last, when he appeared to take part in public affairs. This was the rule of his political life; and though the determined enemy of faction, as well as of oppression and abuse, he was not averse to the name and the functions, of late too much despised, of a party man. The Discourse before us paints this part of his character, like all the rest, with a true but strong hand.

'I may speak of him as animated by a patriot's spirit. He loved his country. He gloried in its eminence and its privileges. He stood for its independence, and for the freedom of its people as a birthright—as a jewel that has no compeer—as a possession that is beyond price. He longed for its better emancipation from ignorance—from misrule—from faction—from everything in its laws, its habits, its circumstances, which tended to mar its prosperity, or to endanger its safety. He prayed from the heart that God might save the King, and bless the people, and make his empire the seat of true religion, of sound learning, of genuine liberty, of virtue, and peace, and happiness. He felt an interest in everything by which its welfare could be affected; and conceiving that neither his Christian vocation nor his ministerial office made him an alien from anything that could work his country's weal or his country's woe, he was bold to express his sentiments on all topics of public importance, and thus assisted the progress of just and liberal views among his fellow-citizens, by giving to them all the influence that could be legitimately derived from his enlightened understanding, and his exalted character.

'I may speak of him as a man of enlarged philanthropy, who mourned for the darkness and the degradation and the sufferings of his species; who rejoiced in whatever was done to illuminate the nations and diffuse the blessings of intellectual culture, of moral purity, of Christian doctrine, of comfort and of peace; and whose ardent and delighted anticipations were continually looking forward to the period, when every offence would be taken away—when every yoke would be broken—when liberty would be proclaimed to the captive, and the oppressed would go free—when the sun of righteousness would shine upon the dark places of the earth—when civilization and its attendant blessings would visit every barbarous clime—and when, instead of that unrighteous and cruel dominion which sin is still maintaining amidst the unreclaimed myriads of our fallen race, the God of mercy would be seen 'taking to himself 'his great power,' and reigning with unresisted sway over a holy and a happy world.'

It is impossible to follow a better guide than Dr Thomson in delineating the personal character of this eminent and virtuous man. Our task is made both easier and more useful, though less ambitious, by this manner of executing it. We give a better picture, and by a nearer observer, than we could draw ourselves;

while we preserve in our pages the main beauties of a Discourse, the great merits of which might fail to exempt it from the fate that too often sweeps sermons into oblivion, merely because they are of such unceasing and unlimited production. The private character of Sir Harry is feelingly pourtrayed; and with this, as a member of the community, and as a Christian, we close these extracts.

'But he was not a mere churchman, important as was that relation, and admirably and usefully as he sustained it; he looked abroad upon society and upon the world, and took an interest in all the fortunes of his fellow-men, and felt the obligations and the endearments of every tie by which man and man are bound together.

'I must not venture into the domestic circle—sacred at this moment by the depth and freshness of its sorrow—and tell you how much he loved there, and how much he was beloved.

'But I may speak of him as a Friend; and how many can bear witness to me when I say that his friendship was invaluable! It was warm—it was disinterested—it was liberal—it was active—it was unostentatious—it was unwavering and constant. And they who enjoyed it, enjoyed a treasure; for there was both the willingness and the ability to give them the most substantial tokens of his favour and regard; and he imparted these without grudging and without upbraiding, even when they cost him many sacrifices, and when ingratitude was eventually all his recompense.

'I may speak of him as a Christian, whose 'faith stood not in the 'wisdom of men, but in the power of God.' Though no one could more readily or ably 'give to them that asked it a reason of the hope that 'was in him,' and though no one prized more than he did the arguments and the evidences by which Christianity is proved to be a divine revelation, yet the only effect of these, under the teaching of the Spirit, was to fortify him in that simple, humble, unwavering belief which he yielded, as the tribute of his inmost soul, to the testimony of God concerning his Son Jesus Christ. He had thoroughly studied for himself the whole scheme of the Gospel, and from full and deliberate conviction, as well as for its experimental application of his own personal need, he threw himself, without pretension and without reserve, upon the atonement and righteousness of the Redeemer, as the only ground on which he could look for pardon, acceptance, and eternal life; and the longer he lived, the more firmly did he rest on that as the great, exclusive, immovable foundation of a sinner's hope. The grand and leading view which he habitually took of the Gospel, was that of a dispensation of grace—of grace free and unconditional; and in this light he regarded it, not as a matter of mere speculation or mere assent, but as that in which he was personally and necessarily concerned for his own comfort and his own salvation.

'Those who knew him best, can best give witness how faithfully and habitually he embodied his knowledge, and his principles, and his hopes as a Christian, into his life and deportment, his daily walk and conversation—how tenderly he cared for the fatherless and the widow that

were so often committed to his charge—how active and assiduous he was in helping forward deserving youth, in giving counsel and aid to the many who had recourse to him in their difficulties, and in doing good to all his brethren with unaffected kindness as he had opportunity—how patient and resigned, amidst the severest bereavements, and of these he experienced not a few, with which Providence can visit the children of mortality—how fervent in his devotions and prayers—how diligent in his study of the sacred volume, from which he drew all his religious opinions—how correct and dignified in the whole of his personal demeanour—now engaging in the lighter play, as well as in the graver exercise, of his social affections—and how ready, amidst all the attainments he had made, and all the honour he received from men, to acknowledge, as I have often heard him do, the shortcomings of his duties, and the inadequacy of his services, and the sinfulness and imperfection that mingled in all his doings, and still to betake himself to the blood of sprinkling and the finished work of the Messiah, as all his refuge and as all his hope.

'And when he came to die—too soon for us, but not too soon for himself—he manifested the same excellencies that had adorned him during his long and active life—the same piety towards God—the same trust in his blessed Redeemer—the same dependence upon the Spirit of all grace—the same fortitude under suffering—the same affection to his friends—the same anxiety about his people—the same desire to be useful to all within his reach, who needed his counsel or his aid. And to show how deeply he was embued with the spirit of religion, and how much he had been habituated to devotional exercises, and how truly, amidst the cares and activities of a long public life, the concerns of the soul and eternity had been his all and all,—during the whole course of his last sickness, and even amidst the few and shortlived wanderings, occasioned by great bodily debility, of his once powerful mind, the whole strain of his meditations was directed towards his God and Saviour in heaven. I shall never forget the earnestness and the fervour with which, a few days before his death, and immediately after I had prayed with him, he poured forth these holy supplications for himself—'Lord, 'sanctify me more and more—fill me with all joy and peace in believing, 'that I may abound in hope, through the power of the Holy Ghost—'guide me by thy counsel while I am here, and afterwards receive me 'into glory.'

It is with a delicate and a masterly hand that Dr Thomson touches the external appearance, not to be separated from the higher qualities, of an object on which the memory loves to dwell. The following short passage is characteristic and striking:—

'This, however, I regret the less, as his character in all its leading aspects must be so familiar to your own minds, and so strongly and distinctly impressed upon them, as to require from me no illustration to make you either know or understand it It had a length and a breadth which made it obvious to all. It had nothing hidden, or disguised, or equivocal about it. It was bold, open, forthcoming—resembling in that

respect his own outward person, which carried on it the impress of conscious integrity and bold independence, not only when he was in the prime and fulness of manhood, but even when his features had been softened, and his stature bowed down by age—so that you could not fail to be conversant with its reigning qualities, and its standard merits. There was a magnanimity in his modes of thinking and of acting, which was as evident to the eye of observation as were the lineaments of his face and the dignity of his gait. And, indeed, in the profound and endeared respect with which you have ever regarded him, and in the silent but deep-felt sorrow which at this moment fills your bosoms, there are ample proofs that you are no strangers to all that high excellence by which he was so conspicuously dignified and adorned.'

The loss of such a man to the world at large, and in an especial manner to the good cause, in church and state, is at all times profoundly to be deplored; and in no age is easily to be repaired. The great principles which he ever strenuously maintained, of pure church government, have to lament their fast and powerful advocate, and to seek for an able protector among his associates and successors. That they cannot seek in vain, we may confidently affirm, as long as men like the eloquent and honest preacher of this discourse, or the distinguished Dr Chalmers, remain among us. He who is gone laboured, indeed, during the worst of the evil times,—when the spirit of truckling, of bribery, of corruption, had made such havoc among the sons of the establishment, as caused them to be ashamed of the vocation wherewith they were called, and tempted them to renounce the honest and severe simplicity of the presbyterian scheme. He fought the good fight,—and not in vain. For he lived to see a better spirit returning, a brighter day dawn; and he left to his followers this precious lesson, that no cause can be hopeless, which is followed in the right and the truth, while its votaries do not abandon themselves to despair.

ART. XI.—*Observations on the Late Changes in England in* 1827. London, 1828.

WHEN we last turned our attention to the State of Parties and the Structure of the Administration, the confidence of the country was possessed, and its hopes raised, in a degree almost unexampled, by those in whose hands his Majesty had placed the powers of government. A change unexpected, and as yet unexplained, has since shaken that confidence, and lowered those hopes. We should fail in our duty to the readers of this journal, if we did not follow up our former remarks with some

observations, dictated by no feelings of a party kind, but prompted by a sincere regard for the best interests of the community, bound up, as we humbly conceive them to be, in the maintenance of the liberal principles which so lately guided the government, in foreign, as well as domestic affairs.

There is this remarkable difference between the late change of ministry, and that which happened in spring, that in discussing the grounds of the latter, we felt ourselves under no necessity to call in the aid of secret history, for the purpose of explaining the appearances exhibited to the world,—the conduct of the coalescing parties on all great questions of national polity for years past, affording a ready and natural solution of every difficulty; whereas, the recent change can in nowise be explained by reference to any known facts in the previous history of those connected with it, and indeed seems but ill accounted for by any anecdotes, or other passages of secret history, that have as yet been brought before the public. That Messrs Canning and Huskisson should separate from the Duke of Wellington and Lord Bathurst, with whom they agreed on no one point of policy, foreign or domestic, and unite themselves to Lords Lansdowne and Carlisle and Mr Tierney, with whom they had long ceased to have any material difference of opinion, was, beforehand, so natural and likely an event, as required no explanation, and admitted no comment, when it happened. It was equally to be expected, and excited as little surprise, that the new ministry should be warmly supported by Lord Holland and Mr Brougham, whose known principles its members agreed in maintaining, and who had for years been the advocates, and indeed the most efficient supports, of the measures grounded on those principles, which the liberal portion of the preceding administration had from time to time brought forward. That upon Mr Canning's decease, the same motives should continue to operate in keeping together those distinguished individuals whom they had at first brought together, was a consequence of the original union, or rather of the previous agreement in opinion, which had formed that union, and cemented it when formed. All this is easily explained, without having recourse to private treaty or court intrigue for a solution. It is equally easy to understand how the new ministry, first during Mr Canning's life, and then after his death, should be objects of unceasing and unsparing attack from his former colleagues—their adherents in Parliament, and their creatures out of doors. That the Duke of Wellington should display his hostility in the Lords, and Mr Peel in the Commons, was natural; and it was not unnatural that the less judicious friends of each

should be more forward in the attack than their more wary leaders. The Marquess of Londonderry, accordingly, and the Lord Ellenborough, made various exhibitions of their oratory; which, had strength always accompanied vehemence, or the power to offend at all kept pace with the will, might have been deemed equal to the Philippics, and ranked these noble personages among the first orators of their age. The pervading principle of all those onsets, was aversion to Mr Canning personally; and pointed reprobation of the liberal policy he had of late years patronised, with a conquest over his former prejudices and the habits of his earlier life. All this was to be expected, and astonished no one; unless that the indiscretions of Lord Ellenborough attracted towards him a share of notice, which caused his talents for debate to appear advantageously, and to be fully appreciated, perhaps overrated.

After Mr Canning's death, the same system of virulent abuse, which is supposed to have hastened his fate, reduced as he was in strength by repeated attacks of disease, acting on a naturally feeble constitution, was faithfully persevered in. His memory was reviled without measure, as without decency; and one most infamous journal, the chosen organ of the high church party, and like its other organs of the press, noted for scattering the most detestable charges upon individuals of purest fame, signalized its pages by raising the infernal cry of Atheism against the departed minister, whilst yet lying on his bier. Hitherto all is naturally and easily accounted for, by the relative state of parties, and their known composition. The kind and nature of the attacks bear the impress of the characters from whom they proceeded. Every animal, as Mr Gibbon said, has its appointed cry, or howl, or bark, or hiss, or bray.

We are now, however, approaching the period when wonder must arise; and have to note proceedings wholly unaccountable upon ordinary grounds. We must, indeed, believe certain things to have happened, because there is sufficient external evidence of the facts; but all internal evidence is against their likelihood; and no one, we apprehend, could have conceived that they were possible, before they were known to have occurred.

Lord Goderich, who had been advanced to the head of the government, did not long delay to give very ample proofs of his entire unfitness for such a station, in such times. His personal worth was ever indisputable; his talents were of a distinguished order; his information had been greatly extended while he filled the difficult and important office of Chancellor of the Exchequer; and his devotion to the liberal principles of policy had gained for him deserved popularity, and given him a still more

enviable place in the esteem of reflecting, rational men. It is therefore with any feelings rather than those of disrespect, that we join all the country, of every party, in the declaration, that never man more widely miscalculated his powers, or his nerves, or the callousness of his feelings, or whatever else it may be that fits men for the lead, than this estimable individual did, when he, in an evil hour, assumed the command. His conduct was a series of acts indicating weakness; now yielding to the importunity of friends, against his own better judgment, now alarmed without grounds by the menaces of vapouring adversaries; till at length he resigned, apparently without knowing what he had done, and then returned to his post, without knowing what to do. A government so directed could not possibly keep its ground: and unless its head were changed, it had but the choice of falling to pieces of itself, or expiring on the first blow being struck, by as ill-cemented and absurd an opposition as ever exposed itself to the ridicule of the country. The former alternative was its fate; and Lord Ellenborough and Sir Thomas Lethbridge were deprived of the glory of giving it the finishing stroke.

Here, however, we must pause to ask, why the colleagues of Lord Goderich suffered him to return to the station he had quitted? Ought they not at once to have insisted on having an efficient head? Who doubts that his Majesty would cheerfully have answered such a call? He had insisted on Lord Lansdowne revoking his resignation a few months before, upon the express ground that it must dissolve a ministry, to whose principles, 'and whose persons, he was equally attached.' Nothing had occurred in the meantime to abate the Royal confidence and favour. Nothing but the usual bluster in the drawing-rooms, and the wonted scurrility of the ultra press of the high church, daily and weekly vomiting forth, but not more than usual, its slander, obscenity, and blasphemy, had happened to scare any courtier, or, excepting Lord Goderich, any minister, from his post. Why, then, the country has a plain right to ask, did the Cabinet not make to their sovereign the fitting representation? It can only be because some of them felt culpably indifferent about office, as they had from the very beginning, and because others suffered feelings of delicacy towards a colleague to usurp the place of their feelings of duty towards themselves and the state, whose affairs they had undertaken to direct. Lord Goderich had shown no such delicacy towards them. He had displayed no very nice sense of his own exact capacity for leading the Lords and heading the Cabinet. He had declined submitting to a man of Lord Lansdowne's superior talents, experience, and station;—he had

hastily, and without the least reflection, assumed the control of the King's councils. In recompense for the disregard of the just claims of others, they weakly, as it seems to us, waved their just claims of right, for fear of wounding his feelings.

The intermediate proceedings are still a secret; no account of them has been given from authority. All that the country knows, is the fact of Lords Lansdowne and Carlisle and Mr Tierney being now out of office, with all their adherents; and Messrs Huskisson and Grant, and Lords Dudley and Palmerston, being in office, united with the Duke of Wellington, Lord Bathurst, and the other enemies of liberal policy, and personal adversaries of Mr Canning; among whom we may not do so offensive a thing as to omit Lord Ellenborough, whom the Duke is said to have taken unto himself, as the spokesman of the government in the House of Lords.

The report most current, and as yet uncontradicted, is one which we cannot possibly believe, respecting as we do the persons to whom it refers. Mr Herries, a gentleman utterly unknown to the country, and to Parliament, except in the subordinate stations of private secretary to Secretaries of the Treasury and Chancellors of the Exchequer, had been elevated to the place of a Commissary General, afterwards of Auditor of the Civil List, and, lastly, had attained the height of his natural career, in being made a Secretary of the Treasury. All at once, it is said, the necessity of making him Chancellor of the Exchequer was felt,—and he was made Chancellor of the Exchequer! Without power, rank, talents for debate, influence of any kind, personally or through his connexions, he is reported to have assumed the tone of authority and dictation; and when Mr Huskisson required, as leader of the House of Commons, that the Finance Committee should have Lord Althorp for its chairman, this unaccountably fortunate placeman is said to have threatened to resign, unless the proposition were abandoned. Mr Huskisson, we are next told, insisted on carrying his point under the like threat; and was heartily and honourably joined by Lords Lansdowne and Carlisle, and Mr Tierney, in the declaration. They stood by him, resolved to go out with him, if he did not carry his point; a point, be it observed, of some little importance, inasmuch as it involved the reality and efficacy of the Finance Committee itself. What followed bears so little relation to the premises, that we question if such an example of what logicians term *non sequitur*, can be produced, from all the volumes of all the dialecticians since the days of the Stagyrite. Lords Lansdowne and Carlisle, and Mr Tierney, agree to stand by Mr Huskisson, in the struggle between him and Mr Herries,

at the close of the first act,—and the curtain rises for the second, with Mr Huskisson and Mr Herries sitting amicably in the same cabinet, and Lords Lansdowne and Carlisle, and Mr Tierney, turned out altogether, their places being filled with the Ultra Tories! We give this version of the facts as they have been universally stated, only observing, that it seems to us absolutely beyond the powers of credulity to receive it. It is true, none other has as yet been presented to the public. The matter is chiefly interesting to the parties; the nation is only concerned, so far as the character of public men is public property.

One of the chief actors in this strange drama, Mr Huskisson, has had an opportunity of stating *his* case; but it was not to be expected that, on the hustings, he should enter into all its details; and accordingly, we are left nearly as much in the dark after reading his story as before the perusal. But in the midst of so much, perhaps, necessary suppression, we must observe one very favourable symptom, and we note it with unfeigned satisfaction. Men are proverbially prone to hate those they have wronged. Either Mr Huskisson is, from superior magnanimity, an exception to this rule, or he is conscious of having done nothing evil,—for he gives the tribute of honest and disinterested praise to his late colleagues, declaring, in terms peculiarly emphatic, that he never in his life had the happiness of knowing men of more sound principles, more unblemished integrity, more straight-forward policy, than Lord Lansdowne, Lord Carlisle, and Mr Tierney.

After this high commendation, the justice of which their countrymen will gladly admit, any tribute of applause that we can offer would be impertinent. Yet do we pause for a moment to remark, that the only charge which has, through the whole course of these proceedings, been even hinted at against them, is a too scrupulous regard to their own consistency in other men's estimation, and perhaps too great disregard of place. There is some truth in both these censures. Public men ought to act as their own conscience pronounces right, and reckon upon their consistency being admitted in the long run, even by their enemies. They should also prize office, as the means of doing good to the state, and take the fair means of maintaining their title to it. This we say, to show how little we are bigoted in favour even of the eminent individuals whose names have of late been so often mentioned.

But of one, in particular, we must be permitted to speak a little more at large, because we grieve to find that he has been, by the ignorant and superficial observer, sometimes charged with want of vigour and firmness in the late proceedings. His

position was peculiar, and it was delicate. For reasons we are far from blaming, the King did not think fit to place him at the head of his councils. A superior—an incomparably superior man, occupying a subordinate station, has at all times the most hard task imposed upon him. But if his modesty be as remarkable as his merit, the task is doubly irksome. No man who has marked the manly, firm, and persevering course of Lord Lansdowne, and observed how conspicuous his moderation has ever been under circumstances the most trying to youth, with shining talents, and a temper naturally warm, can have a doubt that he is most eminently gifted with decision and steadfastness; and that, were he placed in the station to which all his faculties, let him bear them ever so meekly, are universally felt to entitle him, his firmness and vigour would be signally displayed. In the place he has lately filled, and surrounded by the colleagues he then had to work with, any other course than that he held, would have exposed him to the less tolerable accusation of restlessness and petulance.

Nor must it be forgotten that Lord Lansdowne, while misplaced in the Cabinet—we mean in respect of Lord Goderich—was in Parliament supported far otherwise than he had a right to expect. Ill-humour in some quarters—squeamishness in others—in some an impracticable wisdom—in some an irritable or an ungovernable temper—in some few, a lurking impatience for office—deprived him of much aid which he might fairly have reckoned upon, when he reflected on the importance of the coalition to those principles which he and his friends held in common, and felt the great sacrifice of personal ease which he was himself making to further the good cause. It was otherwise ordered; and they who withheld their support from a system of policy which they approved, and they, too, who gave it a niggardly and fastidious support, have themselves principally to blame for the late change. We hold not even those blameless who cloaked, probably from themselves, under the name of watchfulness, a coldness amounting to alienation; an indifference hardly less hurtful than hostility. We devoutly hope that reflection and experience will hereafter be found to have taught most of these estimable individuals a lesson of practical wisdom—the lesson so well delivered in Mr Fox's memorable words, 'that it is far better to give up a little to a friend, than all to 'an enemy.'

Of the composition and the prospects of the new ministry, we have but little disposition to speak. Whether it is to have the benefit of Lord Goderich's services, appears still uncertain;

possibly he has not yet made up his mind to share the responsibility. That Mr Herries, the great 'feature' of the times, belongs to it, is plain enough; but Mr Huskisson has so far carried his point, as to have driven him from the Exchequer to the Mint; from whence another struggle may send him back to the commissariot, or plunge him pensive in the thick retreats of the woods and forests! A military finance-minister is a novelty in this country certainly, whatever it may be in Muscovy—But we abstain from these common topics. The men interest us far less than their measures. The remnant of Mr Canning's friends have by their leader publicly assured us that '*promises*,' with '*guarantees*,' have been distinctly given to them by their colleagues of the illiberal school, that all the principles of liberal policy, at home and abroad, to which we have ever been attached, will be steadily pursued by the new government. Free trade, cheap bread, low taxes, law reform, and the necessary investigation of delinquency, as well as extravagance, are great boons to the country, though they are indeed only its just rights. We shall therefore look for the enjoyment of these blessings—and we trust that Ireland, for which no stipulation is made, will be found able to treat and to gain for itself.

[A singular scene has been represented in all the newspapers, as having taken place in the House of Lords, touching the late changes. The Duke of Wellington is described as having wholly given up Mr Huskisson; and instead of the Guarantee for continuing the late liberal policy which Mr H. stated he had obtained, his Grace is merely made to say that he had offered the character of the ministry as a security that no policy would be pursued hurtful to the King and the country!—The mysterious affair of Mr Herries is left quite unexplained; and the Lord Ellenborough's accession to the cabinet remains, to any one who may desire to inquire of such a matter, as incomprehensible as before. This noble person is described as having used a rare and striking figure of rhetoric. After taking advantage of the opportunity given him by Lord Lansdowne, to the full extent of affording not the least explanation, he concludes by saying, 'he '*shall always* be ready to *meet* the Noble Marquis on *any* ques-'tion.' Then why not now? But it is idle to speculate on things that must be instantly submitted to the test of experiment. Even while we write, we hear of new explanations and

new contradictions! and feel how foolish it is to write, at the distance of 400 miles, about matters that must be settled before what we write can come under the eye of any reader.]

NOTE.

In some remarks in our Number for March 1827, upon Dr (now Bishop) Copleston's Sermon, we spoke in a manner to lead the readers to suppose that some change of opinion on the Catholic Question had taken place in that learned and respected prelate's mind since 1809, when he espoused Lord Grenville's cause at Oxford. This, too, has certainly been the prevailing belief; from its not being known that he had given his support to Lord G. from motives of personal respect and attachment; but with a distinct statement that they differed on the Catholic Question. It gives us great pleasure to contradict this misapprehension; both because it vindicates so eminent, and, generally speaking, liberal an individual —and because it removes the hurtful impression of the great cause in question having lost so able a supporter. The fact seems, from all we hear, to be, that his Lordship's opposition to the Catholic claims has rather diminished than increased of late years. He clearly takes a different line from the other advocates of the question.

Anonymous writers, we fear, will not be very favourably listened to when they complain of their *incognito* being violated, or of the blunders committed by those who pretend to have peeped under their masks. It is certain, however, that the grossest mistakes are constantly made on the subject; and the most groundless, and occasionally the most injurious rumours circulated, with unbounded confidence, as to the authorship of papers, the true authors of which are entirely unsuspected and unknown. In justice, therefore, to those who are *not* the authors, we beg leave to assure the public, that our masks are impenetrable; and that none of these rumours or assertions can possibly proceed from any knowledge or information, except in the few cases, where an author chooses voluntarily to discover himself. Our arrangements are so taken, and the necessary confidence so checked and limited, that we think we may say very confidently that no allegation of the kind, which does not proceed from such a quarter, can be entitled to the least regard; or can rest on anything but the most vague conjecture, the most idle prejudice, or the most ludicrous mistake.

We have no great reliance on the effect of this warning: But some recent instances of extravagant and annoying blunders, seemed to impose it on us as a duty to give it. Most certain it is, that those who take it upon them, every quarter, to inform the public by whom each article in our new Number is written, *can by possibility* KNOW *nothing of the matter*—and it is equally certain, though the proof, of course, is not now producible, that their information is generally wrong.

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THE

EDINBURGH REVIEW.

MAY, 1828.

No. XCIV.

ART. I.—*State Trials; or a Collection of the most interesting Trials prior to the Revolution of* 1688, *Reviewed and Illustrated by S. March Phillipps, Esq. of the Inner Temple.* 2 vols. 8vo. London, 1826.

'DEUS fecit, Linnæus disposuit,' was the somewhat extravagant compliment paid by the admirers of the cedar and the hyssop to the naturalist of Upsal: And if the admirers of positive law were equally thankful for any approaches that may be made towards turning some portions of their art into a science, Mr Phillipps's 'Treatise on the *English* Law of Evidence' (though the subject is certainly of no divine original) might have earned him a motto equally significant for his legal armorial bearings. An attempt to handle the subject in its former state was like taking up a hedgehog—all points! If his philosophical readers, in the despotism which every reader exercises over his author, should be tempted to blame him for not throwing more of the *Censor's* tone into his calm *Expositorial* disquisitions, they must remember how very distinct the two offices are; that a work, to be useful in immediate and present practice, and to become (as his has done) the text-book of almost every judge upon the bench, must state the law as it is, and explain it upon its own principles; and, above all, they should bear in mind, that a great deal has been actually done to introduce a better system, when, by clearing the rubbish from the foundation, and by a perspicuous classification of adjudged cases, every thinking student has been made to see what the principles at

present admitted are, and what the consequences to which they must lead. Give the public but a good map, with the positions of places accurately fixed, and the present roads accurately laid down,—and they will soon find out what roads are round about, and what in a false direction.

For whatever unnecessary distinctions, and false refinements, this branch of the English law may now be charged with, times comparatively recent must take the blame. We cannot, in this respect, talk, whether in boast or in complaint, of the subtlety of Norman lawyers, the embarrassment of Feudal forms, or the illiberal narrowness of Early judges. With the exception of some coarse, and in many respects capricious restrictions upon the competency of witnesses, the faults of our early judges, in cases of evidence, were of an entirely opposite description. An over-anxiety after truth is impossible; but there may be an ignorance of that compromise with human nature, and the condition of society, which the terms of the Problem of Evidence, when treated practically, necessarily impose. And later ages will have erred as widely, in the opposite extreme, if they have constructed a sieve, which, from the excessive care it takes to exclude positive falsehood, gives passive falsehood frequently the victory, by a simultaneous exclusion of truth. But we must confine our observations at present to the Criminal Law: And, accordingly, shall only refer to evidence as connected with it. Those ancestors, with whose wisdom we are often stultified, and of whose glory we are still oftener made ashamed, in this respect will be found not fairly chargeable with any error arising from being cautious overmuch.

The ancient criminal jurisprudence of England has scarcely ever been brought distinctly into notice. The panoramic views of general history, are not sufficiently minute; they give but distant glimpses of the exterior: And Time has saved in a great measure the character of former ages, by bearing down with it to oblivion the detailed testimonies of their guilt. What we can now obtain is little more than the frame without the picture: We see, indeed, at times, innocent acts, or trifling misdemeanours, or things physically impossible, worked up into statutory crimes; tribunals, which by their nature must have been unjust; rules of procedure, such as Fontaine would give in bitter satire to the Spider in his web, and the Hyena in his desert;—all closing with the cruel sacrifice of the weak and the obnoxious to the Moloch of the hour. But the prospect, as it is thus presented to us, is more terrible than useful; and the result, compared with that which a nearer inspection might have given, is pretty much the difference between the effect produced by a walk round the outer

walls of a prison, and the advantage to be derived by looking from its panopticon within.

Yet there is nothing, as men or Englishmen, to surprise or even dishearten us in such a statement. It could not be Religion alone that was in want of a Wickliffe and a Luther. Not only was the law of the land like the law of God, a natural subject for the passions and interests of man to pervert and obscure: But there was in this instance no pure and great original to appeal to. Its first materials had been seldom more than the schemes of avarice and aggrandizement, or the ebullitions of revenge. Its text, though written often upon sand, was written with the sword. The practice, indeed, often afforded an evil commentary; but the law itself constituted the parent crime. Political rights absorbed that portion of the public attention which was given to these subjects. Were we to judge by appearances only, we might reasonably conclude that the object in view for centuries, in the ordinary administration of criminal justice, was to ascertain what was the smallest quantity of common sense and justice with which a nation could be kept together. A Newton or a Watt would not have been worse bestowed upon those times than a humane and philosophical legislator —Man being not quite so manageable in the hands of science as boiling water or a fixed star. Few countries, to be sure, have, with reference to this particular point, passed through circumstances of greater disadvantage and discouragement, than England endured for the first four hundred years after the Conquest. Necessity may compel a person to fix his dwelling within the range of a volcano; but it is scarcely to be expected that any one should think of building or repairing during the rage of a hurricane.

We have been led to these reflections by a consideration of that book of bloody precedents, called the State Trials; great part of which we have long regarded as the most disgraceful work with which we are acquainted, in our own, or indeed in any language. The completion of this great Collection, at the end of its thirty-third volume, for the satisfactory reason that there are no more materials for its continuance, is an event worthy of commemoration. The judicial 'sword is sheathed for lack of argu-'ment.' This most fearful gate of the temple of Janus is now closed. Long may it remain so! that we and our posterity, not watching State Trials as contemporaries, but looking back to them as students of curious historical documents, may derive from the perusal new reasons for rejoicing in so beneficial a change. Sir Samuel Romilly once gave Howell's edition its due praise in the House of Commons; but it has remained, not-

withstanding, comparatively unread. The number of volumes, the smallness of the print, the want of an index, the multiplicity of cases following each other in mere chronological order; the rambling course in which page after page runs off, often into mere collateral dissertation, and the difficulty of ascertaining and keeping in mind the points which are at last determined, will easily account for this neglect. A publication otherwise most valuable, has thus been rendered useless to the profession, except for reference, and almost entirely unapproachable to those beyond its pale. An ordinary reader would lose his way in it at the second page. A Londoner might as well take a morning walk through an Illinois prairie, or dash into a back-settlement forest, without a woodsman's aid.

Mr Phillipps has come forward opportunely to gain another laurel on this rugged field. He has thrown a bridge over chaos; and of the many ways in which the subject might have been treated, we think that nothing can be more judicious than his choice of the period, his selection of the cases within that period, and his method of condensing and criticising those which he has selected. The form is that of an abridgement, with remarks. Two small octavos, of handsome type, and comprising only 20 Trials, need not frighten the most timid spirit, and cannot hurt the weakest eyes. Many striking anecdotes are interwoven, and the most prominent parts of the legal controversy are preserved in the very words in which it originally took place. Thus, though much that is here written will certainly find a place in the notes to future editions of the State Trials, the work must always be highly esteemed for its own interest and utility.

Not more calm and candid than enlightened, the author seems to weigh, in the balance of truth, the merits and demerits of all who are concerned. The legal doctrines advanced by judicial dignitaries of old, are tried by the purer standard of modern times. We are enabled accordingly, as we pass on, to draw a steady line between such deviations from it, as may have proceeded from ignorance; and those enormous violations of natural justice, which no charity can attribute to any but corrupt motives. For this last purpose especially, the period comprised in this selection is chosen with great propriety. The plea of ignorance (valeat quantum) was drawn to a close. Mr Phillipps begins with the case of Sir R. Throckmorton, A.D. 1554, the first of our reported Trials which pretends to give a full narrative of what passed, and to state the evidence in detail: And he ends with that of the Seven Bishops—the most fortunate prosecution in our history; since by it, in the crisis of English freedom, was secured for a time the neutrality of the clergy!

Among the intermediate ones will be found those of the deep-

est personal interest, and the greatest historical renown. For instance, those of Raleigh, Strafford, the Regicides, and the Popish Plot, or, in other words, the plot against the Papists, are contained in the first volume; whilst those of Russell, Sydney, Lady Lisle, and others connected with the same cause (James's jealousy of the national antipathy which he and his brother had raised against them,) occupy the second.* So that Mr Phillipps has inclosed but a corner of the waste,—swept little more than a single stall in the Augæan stable.

The most popular merit of such a book, however, is best described by the simple fact, that the subjects of which it treats have now, for the first time, left the topmost shelf of a library, and become fit company for any gentleman's (we would say any lady's) sofa table. The ordinary reader is transported to fields of battle, whose tactics and array, merits and results, are of infinitely greater national importance than Crecy or Poitiers. Taken away from the commonplaces of history, he finds himself not so much a spectator of a solemn gallery of portraits, as placed at once among the breathless crowd in the centre of the most interesting of human scenes. General propositions are absolutely requisite, as stepping-stones for the understanding, in all great and comprehensive questions: But they are lost upon the heart. We sympathize with individuals only. If there seems at first something of infirmity in this part of our moral constitution, yet, in reference to the habits of the body of the people, we find in it the sources of a real homage to our social nature. On this principle, the Roman Church, though it unwisely omitted to avail itself of all the touching dramatic interest in the daily life of Christ, has felt the inefficiency of doctrines only, and been obliged to bring other compensatory figures more forward on the

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* A very valuable disquisition on the Court of the Lord High Steward is appended, from the pen of Mr Amos, Law-Professor to the London University, whose recent edition of 'Fortescue De Laudibus Legum 'Angliæ,' has brought together in the notes a great body of most useful learning, to support and illustrate the constitutional spirit of the text. Such a summary of important references is excellently adapted to repopularize a Treatise, which, notwithstanding its awkwardness and its errors, was deservedly dear to our ancestors, for the standing answer which it furnished to the practices of the House of Stuart. However displeasing the zeal which accompanies and directs this learning seems to be to a modern editor of Blackstone's Commentaries, we have little doubt (provided dead authors do but talk over their posthumous editions) but that Fortescue and Blackstone are pretty well agreed on their respective amounts of obligation. A slavish edition of Fortescue would indeed be a strange thing.

scene, in the person of the Virgin, and the acts of the Saints. No political maxims will ever touch our affections so nearly, or so form men to magnanimity in themselves, and charity towards others, as the thus occasionally turning for a time aside from the path of vulgar life, or abstract general discussions, and keeping company, in these their conflicts for life or death, with memorable characters, who have trod the rugged path before us,—doing and suffering—at once representatives of the opinions, and martyrs to the passions, of their times.

Mr Phillipps, however, has not merely given the 'Beauties' of the State Trials;' indeed, he has been compelled to sacrifice part of the charm which belongs to such affecting sketches, for other and still higher objects. So practised a commentator upon evidence, would naturally bestow the principal share of his attention on that portion of his labour. As lessons only, nothing can be more valuable than such inquiries. To single out at once the matter in dispute,—to disembarrass it of collateral questions,—to keep the eye fixed on it, though jostled among a crowd of other topics,—to apply to it with promptitude and precision the evidence produced,—finally, to keep a faithful correspondence and proportion between the real probatory force of every fact upon the point at issue, and the impression which such fact is allowed to make upon one's mind, comprises a process, the utility of which is not limited to courts of law.

Besides, we owe a solemn debt to those who, whatever may be their faults, lived chiefly for the Public and for Fame; and posterity is bound, in their behalf, to follow the old Egyptian method, and sit once more in judgment upon the dead. The deep sense of this hereafter,—the assuredness of an impartial and posthumous rehearing of the sentences of former times,—is one of the few checks from which power can never hope to escape; and a true and lively faith in this day of retribution, is not less necessary to restrain iniquity in high places, than the immediate object of such criticism is nobly exercised in vindicating the reputations that have been wronged. Poetical justice is become a proverb, as distinguished from the prosperity of the wicked that so shocked the Psalmist: But historical justice ought to be as delicate and as severe. Even were history good for nothing, but ultimately to be melted down into historical plays and novels, yet unless the characters of men are to be preserved with less care than the costumes they dressed in, it is assumed in the operation that some one has already carefully discharged this duty by them. Accordingly, an able analysis of these great events will not pass merely into the hands of those students, who are seeking after models of technical accuracy on such subjects; but must be thankfully received by every English scholar, who thinks it worth

his while to form a just opinion of one of the most striking chapters in the annals of his country.

A last and most satisfactory result must attend the study of these volumes, if undertaken in anything approaching to that clear didactic spirit in which they are compiled,—we mean, a complete surrender of all the period which they include, as capable of furnishing any reasonable authority for Constitutional Law. Mr Phillipps justly takes the Revolution as the earliest era whence our table of proper legal precedents is to commence.—'The most valuable information, to be derived from the perusal 'of the State Trials, relates to the administration of justice. 'We may there see, how the law was dispensed in state prose-'cutions, through a long series of ages. In the earlier periods, 'these proceedings were conducted without any regard to truth; 'and it would be difficult to name a Trial not marked by some 'violation of the first principles of criminal justice. If this view 'is dark in the distance, it is bright and consolatory in nearer 'times. Immediately after the Revolution of 1688, our courts 'of justice acquired a new character, which has been advancing 'and improving to the present age.' It would be one of the further and most gratifying improvements of the present age, if its lawyers would but come to an honourable understanding with each other on this subject, and consult the advancement of truth, by proscribing altogether the authority of those judges who could make themselves parties to successive 'violations 'of the first principles of criminal justice.' Let the arguments upon which any of their judgments profess to be grounded, have all the weight to which, upon due consideration, they shall be found entitled; but let us never hear of them more, except as arguments. It is time, surely, finally to blackball, as it were, those guilty names, and to throw off the burden of decisions, which, when cited as precedents only, must stand upon character alone; and, as such, can recall to our minds nothing but the sources, acknowledgedly corrupt, from which they are derived. It is the height of folly to admit the incapacity and iniquity of those times; and yet to pass ourselves blindly under their yoke,—to shake the dust off our feet against them,—and then complacently put our feet into their stocks.

To derive from a work of this nature the full benefit which it is calculated to convey, the following are the principal objects which should be kept in view:—The definition of Treason,—what it has been at different periods, what it is now, under the several statutes; and, lastly, what it ought to be, when comprehensively and dispassionately considered; the Form of criminal trials, classed under similar divisions of the past, present, and future; the conduct of Judges, and of counsel for the

Prosecution, before the Revolution; a picture of the sort of Eloquence successively in fashion on these occasions; the Merits of the several trials, especially in those circumstances which hold a candle to the back ground of History, and exhibit more fully the principles and temper of their age; lastly, the behaviour and Character of the parties. The littleness of human nature we see too frequently and too closely; with its amiable, and respectable, and good sort of qualities, our acquaintances make us sufficiently familiar; but we often want the presence of something lofty and magnanimous, to which we can recur for the encouragement and inspiration of our own minds; and it is in these severe realities that we can best learn the grander parts of our common nature, and may admire the power and promptitude with which it greatly answers to great occasions.

It is a poor school which judges of the outer world like a land-surveyor, and looks at man in the spirit of a slave-dealer about to haggle for his purchase. There are elements, both from without and from within, which defy this system; and it may be doubted whether the universe, supposing it were possible, would be improved either in reality or appearance, by thus putting everything under plough. There is not only room, but *use*, for all that God has made in his wisdom—a use not the less real, because not always tangible or immediate. Our new economists, political and moral, who will see nothing valuable in either, but what is almost calculable as money, may learn too late that the masters of better iron, whether in character or country, may chance to become the owners of their gold. We are not of those who reproach great Nature with the barrenness of her heaths and solitary highlands; we grudge not the poet his lark and waterfall; nor the painter his wilderness of rocks. And they miserably deceive themselves, who, in their bill of prices of the qualities of human excellence, put down at twopence the part that answers to the laurel crown! For those who are tired with the tameness and uniformity of everyday life, we would send them to these volumes—where they may see the human character drawn out like a telescope, and adjusting itself to any distance and any eye. It is the harmony of strong contrasts, in which greatness of character truly dwells. As it rises, its variety and rich profusion only remind us of those southern mountains, whose majestic ascent combines the fruits of every latitude, and the temperature of every clime; the vineyard is scattered around its base to gladden, and the cornfield waves above to support, the family of man—mount a little higher, and the traveller is surrounded by the deep umbrageous forest, whilst the next elevation will place his foot on its magnificent diadem of eternal snows.

Such a notice as we have room for would scarce contain a synopsis of any one of the above divisions; we must, in a much more desultory manner, proceed to introduce the reader to a few specimens re-selected from these selections. The trial of Throckmorton deserves, on all accounts, the attention which it has received. It is our first messenger from that ill-discovered bourne; and like a single slave-ship that is captured, it contains the history of the rest. The treason charged was, a supposed connexion with the rebellion of Sir Thomas Wyatt. St John most improperly instances it in Strafford's impeachment, as a case of levying war for *alteration of religion*. Wyatt's spirited speech upon his trial, is an affecting proof that his resistance was directed solely against Mary's marriage with Philip—a bigoted union, and from its tendency to make England a Spanish province, as unpopular with the Roman Catholics as with the rest of the community. The patriotism of the Catholic gentry on all great political emergencies, should never be forgotten. Notwithstanding all provocations, and all distrusts, no part of the English people has, as a body, been found more true to their country and its common cause. The evidence against Throckmorton is entirely ex parte, and consists wholly of written examinations and confessions; of which the Duke of Suffolk's was hearsay, and Vaughan had been already attainted. His demand, grounded on the statute of Edward, that the witnesses should appear in person, was refused. 'The law was so for a time,' say the counsel afterwards in the Duke of Norfolk's case, 'but 'it hath been found too hard and dangerous for the prince, and 'the law hath been since repealed.' A witness, who presented himself on his behalf, was insulted and turned away, contrary to Mary's positive orders, that the Chief Justice should discard 'the old error;' an order which the prisoner urged earnestly on the court. Parts of his own examination were picked out and pressed against him, and it was in vain that he requested them to read only the whole. Counsel he had none nor could have; but fortunately he found, what can so rarely happen, all necessary resources in his own intrepidity and talents. On the law itself, the judges pervert the only point which they had an opportunity of falsifying, when they declare that to join a *traitor* is to adhere to the King's *enemy*, within the act of Edward III: This, too, was purely gratuitous; for the facts, if proved, brought his case clearly within levying of war. So unlooked-for an event as an acquittal, only opened a new field for further wrong. He was remanded to the Tower, on the pretext (not even countenanced by any offer of further charge from the Attorney-general) that *there were other things* against him, and was relea-

sed, some time within the year, through the intercession of Philip. The only evidence (supposing it all admissible) that proves anything amounting to treason, is that of Vaughan, who had been already condemned for his share in this same rebellion. It must have been blasted by Throckmorton's powerful remonstrance. 'Remember, I pray you, how long and how many 'times Vaughan's execution hath been respited, and how often 'he hath been conjured to accuse! which, by God's grace, he 'withstood until the last hour, when, perceiving there was no 'way to live but to speak against me, or some other, his former 'grace being taken away, he did redeem his life most unjustly 'and shamefully, as you see.' Yet, for disbelieving such a witness, and returning an honest verdict, the jury was thrown into gaol for several months; and the eight, who would make no submission, beyond protesting they had acted to the best of their judgment and conscience, were grievously fined into the bargain.

We have marked the separate parts of this case—and it will be seen to contain almost every possible species of injustice. At that period the following articles of legal faith were written over the entrance into our criminal courts, and were in quiet possession not only of the understandings of lawyers, but of the obedience of the other members of society. They all three turn upon the unfortunate expression by which, on the disuse of criminal appeals, these proceedings came to be called pleas of the Crown. 1. Any sort of evidence is admissible against the prisoner: *for* he is an adversary of the Crown. 2. No witness can appear for the prisoner, *for* no evidence can be received against the Crown. 3. No counsel can be allowed the prisoner, *for* no counsel can be heard against the Crown. We have seen how a verdict of acquittal, instead of securing the prisoner's discharge, only endangered the personal liberty of the jury.

We will make but one more observation with reference to this case. The government, thus disappointed of their victim, took their revenge soon after in the condemnation of his younger brother, it is said precisely on the same evidence. The second jury, therefore, must have been intimidated by the fate of the former, or had else been subjected to a previous purification; 'they be 'picked fellows for the nonce;' the hint of which probable treachery Throckmorton himself threw in with so much dramatic effect in his own case, whilst the challenges were going on. We say nothing of innocent blood—to one drop of which who can make a title? But no lottery is so ruinous to public morals as that of Justice; and if barbarous times may be protected by their ignorance from the otherwise necessary debasement,

the moment a nation's eyes are opened, it must resist, or it is undone, even to its very soul.

The trial of the Duke of Norfolk has acquired its principal interest, from standing as a sort of introduction to that of Mary Queen of Scots. The conspiracy in which he was engaged, to effect a marriage with Mary, then Elizabeth's prisoner, was built on no religious feelings, but (as urged by the counsel for the Crown) on mere personal ambition. A part only of the evidence is preserved; that which goes to prove generally his matrimonial speculations. Now, Mary was no such enemy, nor is making love or marrying such an adherence to a woman, as would, without more, constitute Treason; but as Elizabeth's ministers had abundance of conclusive evidence in their possession, on that further rare and unforgiveable offence, the calling in aid a public enemy, probably some of it also was produced. The success of this enterprise would have endangered the Protestant cause; but Protestants (Sussex, and even Leicester) were parties to it—and Norfolk himself is suspected to have only pretended Catholicism, to assure himself of the Duke of Alva. Notwithstanding the guilt and meanness of Norfolk, Elizabeth, with that irresolution which marks her whole conduct wherever Mary was concerned, seems to have hesitated about his death, though voted necessary by Parliament, in consequence of a scheme for his liberation. Her policy made her assume in this case that hypocritical indignation with which she afterwards ruined Davison. Burleigh was for a time disgraced, on the pretext that he had ordered the sentence to be carried into execution without her authority. The several facts against Norfolk, as well as those in the case of Mary herself, (where Elizabeth was willing that the two secretaries should be examined,) and those arising out of Essex's rebellion, were all respectively proved by written deposition only. They might have been so easily established by direct evidence, that nothing shows more strongly the invariable practice. It is a strange notion of Hume's, that, except the witnesses not being examined in court, the trial was quite regular, according to the strict rules observed at present. If, according to the answer of Elizabeth's civilians, Leslie, Bishop of Ross, was not to have the protection belonging to an ambassador, the receiving him as such was cruel treachery, under the circumstances. Against them who so acknowledged him, he was entitled to all those privileges which were violated by his committal to the Tower, and by the threats under which they extorted his examination, for the purpose of using it against Norfolk himself. Notwithstanding his remonstrance,—'You handle me 'hardly, you would trap me by circumstances,' he was, by a long

cross-examination, compelled to admissions of what was construed a confession of a principal charge against him—his knowledge of Mary's pretensions to present possession of the Crown. His servant Bannister was put to the rack, and his confession, thus extorted, read against his master. The judges had previously met and consulted upon the indictment, &c., which they were afterwards to try.

Elizabeth is a representative of the whole Tudor line. To the frugality and caution of the founder of their family, she united her father's capricious temperament and courage, with more than her brother's learning, and not a great deal less than her sister's intolerance of religious innovations. Her character was colossal—and designed for that triumphal pillar upon which she was early placed by a nation, that she enlightened, invigorated, and saved. Taken down from that elevation, for the purpose of being subjected to a moral microscope, formed on the more correct principles of modern times, and adjusted almost to the circumstances and considerations of private life, she has lately undergone a minute and unsparing criticism, which might appease the spirit of her injured rival, and satiate the not altogether undeserved vindictiveness of Rome. There were infirmities of heart and purpose about her, (often in little things, and once or twice in great ones,) which it must have required, in an age when sovereigns lived in the familiar presence of their subjects, all her dazzling qualities to throw into the shade. It was undoubtedly the comparison with the Stuarts which canonised her with the next generation. But there is abundant contemporary evidence, that, without her crown, she would have been still the most extraordinary person, whether for capacity or resolution, in her renowned court. It was no compliment of Burleigh's, who always spoke of her as the wisest woman he had ever known. Yet the prudent old statesman must have been about as much at a loss, as we at the present day, to recognise the wisdom of any of the party, in the mummery of her manufacture of rival possets for the two sick lovers, Essex and Raleigh, when wasting under the same passion for their virgin Queen! She was doomed at last to present a bitter cup to one! and, during his twelve years' imprisonment, the other must have often envied Essex that early death for which he had the cruelty to intrigue, and where he had the shamelessness to appear a triumphant looker-on. These two remarkable men seem long to have stood in contrast to each other. Burleigh, in a letter of instructions to his son Robert, when he could anticipate no such ultimate approximation in their fate, says, 'Yet I advise thee not to affect or

'neglect popularity too much. Seek not to be Essex,—shun to 'be Raleigh.'

Essex, in his original offence, the return from Ireland contrary to orders, might plead the precedent of Sir John Perrott, who, whilst Lord Deputy, had done the same, yet had lost no favour by it. In all that followed, he is much more to be compassionated than excused. The desperate sally by which he forced his way with a company in arms into the city, to raise his friends, and by securing possession of the court, forcibly remove his enemies from the Queen's presence, was not merely an unquestionable act of treason, but a technical levying of war. His cry of the Infanta must have been felt by her as an insult, from her known aversion, even to a whisper, on the subject of her succession, and may have roused a thousand latent suspicions, when she thought of Doleman's Book, and its dedication to the Earl. The whole enterprise would appear a most inexcusable abuse of his double favour with herself and people. For his sake she had forgot her parsimony, having granted him L.30,000, a sum which she would have long bartered about, if negotiating the safety of a kingdom with either the Low Countries or Henry IV. In his behalf, too, she had laid aside the jealousy so constitutional to her habits, and so necessary in her circumstances, and had taken pride in the popularity of her favourite. This popularity was such, that Bacon's pen was immediately employed to draw up, for the satisfaction of the public, a declaration of his treasons; and a sermon was ordered to be preached at Paul's Cross, as a sort of proclamation against his character; for his memory is said to have been as popular in ballads as Robin Hood's, with the apprentices of London, a body once so formidable, although destined to survive the Revolution only in Jonson's solitary strains.

The whole trial is conducted with great irregularity, but with an irregularity often favourable to Essex, and clearly with no intentional injustice. The right of challenge, which he demanded, appears to have been directed against Lord Grey, a partisan of Raleigh's, who had once assaulted Lord Southampton. It was refused on those grounds of honour in noble blood, which, however legally sufficient, are unsatisfactory even in a trial before the whole House, but intolerable before a commission selected from it. In the present instance, Bacon says, that the number (being 25) was greater than had been called on any former precedent, some of them near alliances, and some whose sons had been in rebellion with him. The evidence is again written depositions, hearsays, &c.; but this objection is only

observable as a fault in the general system; it could be no hardship in a case so openly notorious, and where good evidence might have been procured in every street through which they passed. In compliance with his own request, he is allowed to make a separate speech as each witness gave his evidence. Bacon mentions this as a favour. It is not permitted now; and, though no unreasonable requisition, where prisoners are obliged to defend themselves, neither Lord Russell nor Walcott were afterwards indulged with the same license of breaking in on the evidence for the Crown. The other indulgence (noticed also as such) is, that the Judges gave their opinions at large, with reasons. Now, the Court was certainly competent to decide points of law, without any reference to the Judges; but nothing can be more clearly settled, if they are at all consulted, than that not only has the prisoner a right that their opinions should be public, but the English law is based upon this necessity. 'To give judgment privately, is to put an end to reports; to put an end to reports, is to put an end to the law of England.' It was accordingly one of the resolutions of the judges in Lord Morley's case, that they would deliver no opinion without conference with the rest, and that to be openly done in court. (6 St. Tr. 770.)

As far as Elizabeth's personal interference can be traced on this, and the other trials connected with it, she is entitled to as much praise for what we know of her actions, as sympathy for what is recorded of her feelings. Southampton's life was spared, upon his defence, that what he had done was purely to serve his friend and kinsman; and we have Coke's own authority for her express orders, that her counsel should state nothing but what could be plainly proved; since she would that her justice should go untouched. He immediately proceeded, however, in violation of these orders, and gave, in a sort of political pamphlet, the whole history of an entirely distinct charge, the Irish Treason. (1 St. Tr. 1435.) The witnesses appear to have confessed all that could be desired; yet whilst he lauds the Queen's singular clemency, for not allowing them to be racked, he blames it, in a strain of fulsome flattery, as 'over much cruelty to herself.' In the trial of Sir Christopher Blunt, another of the party, there is the same boast by Yelverton. Blackstone grounds the right to peremptory challenge, partly on the reason that we often conceive an unaccountable prejudice to the bare looks of another; yet, when Captain Lee challenged one of the jury peremptorily, 'because he liked not his face,' it was refused. Mr Phillipps justly reprobates the statement of Hume, (who was misled by Bacon,) that 'the trial itself was a favour, for the case

'would have borne the severity of martial law.' The book opinions of Hale and Coke are undoubtedly conclusive to the contrary. But unfortunately Coke himself ended his speech against Blunt, by declaring, 'Wherefore the action breaking out into 'that it did, it was a great mercy of the Queen's, that in fla-'grante crimine he was not, according to the martial law, pre-'sently put to the sword.' (p. 1431.) Such are some of the painful contradictions which Coke's practice presented to the written law, as he afterwards left it in his books for the guidance of posterity—a long and degrading list might be made of them. James, in one of his squabbles with the judges, had told them what he himself knew of 'the true and antient com-'mon law;' and ludicrously advised them to apply their studies to it. Coke lived to prove his obedience in this respect, and to take ample vengeance for the taunt of his polemic master; his biographer would have the extraordinary duty of recording the servility of youth and manhood, redeemed by a patriotic and resolute old age.

Bacon's conduct on this trial has even less excuse: for if 'Coke opened the case before the Privy Council with the cruelty 'and insolence which that great lawyer usually exercised against 'the unfortunate,' he was the Queen's attorney, and a man upon whom Essex had no claim. The apology, which was extorted from Bacon by the reproaches of his contemporaries, stops short of the real charge against him; which was *the* part he took, not merely the taking *any* part at all in the business. It is an exception to the rest of Elizabeth's behaviour on this occasion, if she really sought to disgrace her servant by insisting on a duty which he could not undertake without dishonour: But there are things which compulsion cannot reach. She could not compel him to take the lead against his patron, to invent unjust surmises, to look out for cruel and extravagant comparisons, to brand his noble letter with the imputation of boldness and presumption, and to adopt a tone and language which would have in any case been hard and ungenerous—in this, disgraceful even from a stranger—towards a man in whom all minds emulous of glory had found a great example, and the outcast children of our infant literature an admirer and a friend.

The immense step which England made at this period in political and literary greatness turns us back upon it as to our heroic age. But it is melancholy to see the credulousness, which would always find under great names a moral dignity of soul, on lifting up the veil from general history, so rapidly destroyed. In the purest, there is, at this period, usually some strange extravagance. Essex, like Surry, not merely the friends of genius, but

themselves geniuses of a high order, appear to have had almost a dash of insanity grained in their noble characters. Surry's justification of breaking the citizens' windows with his stone-bow, would hardly have kept him out of bedlam, but with a jury of Fifth Monarchy men. Such too was evidently the impression made on Harrington by the concluding scenes in the life of Essex. His gossiping charge against Cecil was (to make the best of it) the loose struggle of a bewildered head: His confessions, implicating the friends who had risked their lives from affection for his person, struck deep into the credit of all mankind, even with the king of Scotland, proceeding, as was alleged, from religious feelings; and, accompanied by the singular abstraction into which he at last sunk, one can scarcely wonder that Byron and the French lords saw, in his death, rather the latter moments of a priest, than those of the most gallant and chivalrous nobleman of England.

Two years had little more than passed when the three most inveterate enemies of Essex, namely Raleigh, Grey, and Cobham, were themselves brought in question for their lives. As far as this conspiracy is intelligible, it seems to have been patched up out of two plots, relating to Arabella Stuart and the Infanta of Spain; being the clashing relics of the fourteen possible titles which the ingenuity of faction had suggested, during the lifetime of Elizabeth, upon that inflammable and forbidden topic, her succession. Though Arabella is not known to have been a Catholic, she was one of the cards that party had long meant to play. However, she appeared in person on Raleigh's trial; and was acquitted by Cecil of any participation in the conspiracy. Indeed the evidence of Cobham, such as it is, goes to connect Raleigh with his Spanish intrigues only; and supposing those intrigues to have had any reference to the English crown, it is difficult to see what interest Spain could have had in placing that upon the head of Arabella; especially when James's Spanish predilections could be even then no secret to that crafty court. Raleigh admitted that there had been some idle conversation between him and Cobham on the subject of a bribe from Spain, to promote a peace between the two countries; and accordingly he directs his defence against that point: —'Presumptions must proceed from precedent or subsequent 'facts. I, that have always condemned the Spanish faction, 'methinks it is a strange thing, that now I should affect it.' The only evidence touching Raleigh was that of Cobham. Originally full of suspicion, when once solemnly retracted, it lost all shadow of credibility—and the refusal to produce this witness, though alive and in the house, when thus powerfully called for

by the prisoner, makes the confiscation of his property, imprisonment for twelve years, and ultimate execution on such a sentence, perhaps the most flagrant of all the judicial atrocities in our story. 'Let Lord Cobham be sent for; call my accuser 'before my face, and I have done! Charge him on his soul, and 'on his allegiance to the king; and, if he affirm it, let me be 'taken to be guilty.' The independence of Juries, too, had apparently made no great progress in half a century. 'The jury 'have found me guilty; they must do as they are directed!' Whilst in Coke's brutal altercation with the defenceless prisoner, and in the Chief Justice's encouragement,—'Be valiant on both 'sides!'—(more like the barker at a cock-fight, than a presiding Judge,) we seem to have receded almost from among human beings.

The pleasure which Hume's sceptical turn of thought took in swimming against the stream, is strongly exhibited by his justification of James I., in this ignominious sacrifice of the last of Elizabeth's captains. We have certainly as little sympathy with Raleigh as it is well possible to have for a man of such endowments; for a genius which, like the favoured characters of antiquity, was equally capable of performing the bravest actions, and celebrating them in the noblest language: But we heartily join in that indignation against oppression, which in one day made him, from the most odious, the most popular name in England; and which, afterwards, in the more flagrant case of that arbitrary triumvirate, Charles I., Laud and Strafford, did what nothing else could have done—turned the current in their favour, and made it difficult for generous natures to preserve the unmitigated aversion so justly due to them, as models of all that is most dangerous in an English prelate, an English minister, or an English king.

If just praise has been given to the prudence of those great men, who, in 1688, brought about the greatest of revolutions with the fewest possible changes, and with the smallest shock to prevailing prejudices, it cannot be denied that the easy transition from the exiled race to some of its nearest relations, weakened the effect of the moral lesson then inculcated, and softened down some most important truths. The house of Orange, owing its highest distinction to its English alliance, was loth to do more in disparagement of any of its royal kinsmen, than its own vindication required. The courtiers of William and Mary must have been anxious to avoid all superfluous vituperation of the father of their queen, or any of her predecessors. All James's faults, therefore, but his attachment to Popery, were kept out of sight. Hence, Charles retained his title of Martyr; the abettors of his tyranny

were applauded, while the brave men who overthrew it were reviled; so that even Addison could brand the hallowed name of Milton with perfidy, for employing his immortal genius in defence of the cause of freedom.

Yet the key to the history of those times is the simple fact—a fact to be doubted by none who have studied that history in any but the pages of Hume, nor by a careful student even of those one-sided pages,—that the house of Stuart were constantly engaged in the scheme of setting up an arbitrary government, and ruling without any control from the laws. From the hour James crossed the border, from the outset of the reign of Charles I. till his downfall, from the restoration of his elder son till the expulsion of the younger, excepting only some short periods of convulsive reaction, this practical experiment the crown unremittingly pursued. It was a civil warfare of a very decided character; the parties being, in the language often very accurately applied, the Court on the one hand, and the Country on the other. The safeguard of the latter should have been found in the laws: but that stronghold was in the hands of mercenaries, too often gained over by the enemy before-hand, and often the most active instruments of aggression. The justification so often attempted to be made out for Charles I., by libelling the ancient laws of England, is refuted by the shameless intrigues which would have been otherwise so unnecessary, and by the notorious and now undisputed delinquency of the Judges. If they were wrong in denying to that succession of patriots, when arbitrarily imprisoned, their discharge by habeas corpus, it follows that that writ gave effectual protection to personal liberty. If they committed flagrant injustice in giving judgment against John Hampden, in the case of ship-money, no right of discretionary taxation was vested by law in the crown. If they outraged truth and common sense by remanding the members of a dissolved Parliament for their conduct and speeches in the House of Commons, then freedom of debate in a popular assembly elected by the people, was a part of the constitution of the country. It is a mere abuse of language to give the name of a pure despotism to a system, in which these three principles were secured by law.

But the machinations of this formidable conspiracy were pertinaciously counterworked, by a body of English gentlemen, gallantly assisted by the most distinguished members of the common law. In that energetic phalanx one of the keenest and most eloquent, whom personal as well as public circumstances forced into the van at the crisis, was Sir Thomas Wentworth, the leader of the greatest county, most wonderfully accomplished by nature, and inheriting a name which those two celebrated brothers (Paul and Peter) had already identified with the

rights of Parliament and the people. It was for the abandonment of that cause, that a man so gifted and so pledged, was rewarded by the presidency of York, the government of Ireland, and an English peerage, with a power and confidence which were to be deserved and consolidated by the extravagance with which they were employed. No desertion has ever been more destitute of excuse or palliation. No change of men or measures afforded the ordinary pretext for conduct which proclaimed the profligacy of the individual, while it threw at once the disgrace of being duped, and the suspicion of insincerity, on all who had acted with him, or should embrace his former principles. Real conversion was too improbable to be even pretended. With a mind so enlightened, with opinions so pronounced, the fanaticism of genuine servility could not by any possibility have thrown any real doubt on the great public questions then in agitation. It was a barefaced and deliberate *sale* of himself, his character, and conscience.

At the same time, on a near inspection of Strafford's early life, it is clear he never had imbibed any of those constitutional principles, or risen to a height or purity of feeling, which would imply that he was doing much violence to his nature, in this act of treachery towards his comrades, and apostacy from the common cause. He had seen truth, and worshipped her for a time, but more from circumstances than from love. In his first canvass for Parliament he supports the Secretary Calvert as his colleague, and urges him to obtain an order from government requiring the other candidate to desist. His subsequent conduct, as explained in his own letters, shows that the secret of all his opposition, lay in the unprovoked aversion which the Duke of Buckingham manifested towards him. No means on his part were left untried to overcome this prejudice: and it was not till after repeated offers of his service to the Duke had been either rejected with insult, or received only to be betrayed, that Strafford was convinced that he could obtain nothing from the court by favour, but must trust to its necessities and its fears. His friends, whilst deprecating this course, were plainly aware that he was guided in this popular game by ambition only. It succeeded: Whilst his eloquence had inflamed the spirits and satisfied the understandings of others, he evidently, throughout, had never, with reference to his own behaviour, looked at Parliament but as that market where he could establish and raise his terms. He is the first of a long line, for whom an English Dante would have to provide a torrent of boiling mud, in a sort of Judas circle of their own. His commission as president for the Council of the North, the first article of his bargain, was signed a month before Buckingham's death. It was this thorough indifference to, and want of, all public con-

science, that enabled him afterwards, not only to preach up ship-money, which he had so strenuously denounced; not merely to adopt the authority and language of the court ecclesiastics, which Hume admits form the most decisive evidence against Charles I., but to transmit to the laughter and recollections of the English council, the warning he read the Irish, upon the terrible example of that English Parliament, which he himself had so lately headed—and to anticipate and deride, with the coolness of Iago, the criticism that his former associates might pass upon his new career. 'How I shall be able to sustain myself against your 'Prynnes, and Pims, and Bens' (Sir Benjamin Rudyard apparently) 'with the rest of that generation of odd names and na-'tures, the Lord knows.' Undoubtedly, from the ordinary power of the executive being active and offensive, whilst that of the two Houses, standing in the people's front, was defensive only, Strafford was singularly mistaken as to the issue of a contest, which, it was probable, obstinacy and insincerity would refer at last to force. His eyes, however, were always open to the possible stake which he was playing for. He sends over himself his threats to the Irish council,—'I was then put to my 'last refuge, plainly to declare that rather than fail I would un-'dertake, at the peril of my head, to make the King's army sub-'sist and provide for itself amongst them, without their help.' He writes to Laud, 'I know no reason but you may as well 'rule the common lawyers in England as I, poor beagle, do here; 'and yet *that* I do, and will do, in all that concerns my master, 'upon the peril of my head.' Strafford's correspondence, letters, and speeches bear the impress of sovereignty of will beyond anything we ever read. In energy of thought and of expression, Homer has put nothing into the mouth of Jupiter of half the power. As to his deeds; his boast is, 'I can now say the King 'is as Absolute here as any prince in the whole world can be.' And for the deeds which he advises, where he yet cannot personally act; 'The judgment on ship-money is the greatest service 'the profession hath done the crown in my time; but, till your 'Majesty has the same power to raise a Land Army, the crown 'seems to me to stand but upon one leg.' After which, he foresees 'the independent seating of his Majesty and posterity, in 'wealth, strength, and glory, far above any of their progenitors.' The only limit which we are aware of his having sought to put upon pure despotism, was his wish that Parliament should not be entirely abolished. It is the single point in which he differed from his master—whether he entertained some reverence for a name so sacred to English ears, or some gratitude towards the theatre of his early reputation; or whether it arose from that

self-confidence, which is not satisfied with the mere results of power, but must feed on the sense and enjoyment of present influence over the minds of men. Perhaps Parliament might appear to him still desirable, only from its being the surest method of filling the sponge which government was afterwards to squeeze. But whatever might be his motive, one thing is plain, from every word and every action, that according to his theory of Parliament, it was not to exist as an obstacle to, but as an instrument of, absolute sovereignty in the crown. It was to live, but in chains.

In the offices to which Strafford was promoted, no greater delinquent ever set the example of misgovernment to persons in power. In Ireland, betraying that "complexional despotism," which leads a man to sacrifice everything to his own interest or appetite, avowing his contempt for the laws, and bearing not the sword in vain—in England, exhorting his infatuated master to the desperate resource of measures, for whose execution, in the face of a protesting Parliament, they must have looked to their troops of horse. If the constitution of these realms is a limited, and not an absolute monarchy, to have destroyed that constitution in one of the three kingdoms, was the service which he most ostentatiously paraded; and for his further designs, there are against him his Words and Writings, equally flagrant, not simply evidence relating to such actual designs, but the means, by advice, persuasion, consultation, and remonstrance, for carrying these designs into effect. His temperament and talents would never leave him the subordinate instrument, even of royal orders. His head contrived, and his tongue advocated, what he was prepared to execute with his sword. But surely, to introduce the King's name into this discussion under any form, and plead that the constitution was subverted in his behalf, is irreconcilable with the first principles of royal harmlessness and official responsibility, on which the constitution rests. The law assumes this as impossible, and will hear no evidence in proof of it. Whatever reasonably amounts to a forcible destruction of, or, in legal phrase, a levying of war against, the form of a free monarchy as established by the law, is the same violence against the only King that the law of England recognises, as it is against the People; and must constitute the greatest crime against his country which the most unnatural of its children can commit. The king cannot, in any intelligible manner, be separated from his political capacity, from his kingdom, and from his laws. For, what constitutes a state? not the mere statistical returns, which form the materials of a land, a hearth, or poll-tax; remove its laws, the kingdom is no kingdom—it is no longer England. St John said, no less finely

than justly, 'Take the polity and government away, England 'is but a piece of earth, where so many men have their com- 'moncy and abode.'

When, in 1640, the Commons had begun to feel their power, this notorious public enemy could no longer be permitted to hold sway in the councils of his sovereign. He was impeached of high treason, for endeavouring to subvert the fundamental laws of the realm. Ay or No, it is said, never answered any question; and certainly will furnish a very imperfect answer to any such general question as partizans are likely to frame respecting the trial of Lord Strafford. Yet, the distance from which we now contemplate these transactions is so great, and the materials which we possess are so complete, that it is difficult to guess at what future period the minds of the honest and intelligent will be more ripe for judgment upon them than at present. It was the privilege of the gods of ancient poetry to look with pleasure on *the good* man struggling against Fate. But ordinary mortals sympathize more intensely with *the brave*; accordingly, we do not wonder at the immoderate zeal which the ladies manifested during the trial, and which those who feel and reason like the ladies, (looking to the spirit of the defence, rather than the merit of the case,) have since inherited. There certainly never was a grander spectacle of intellectual supremacy and fearlessness presented on any stage. During seventeen days, the thirteen managers for the Commons rose successively against him. Alone, broken with sickness, surrounded by enemies, he threw them all in turn, and stood among them like a being of another world! We wish to lessen no one's admiration of his eloquence or his courage; we would not deduct an atom from his splendid appeal against constructive treasons; and it were well if all future ministers had ever ringing in their ears, that solemn exclamation in the Tower, 'Put not your trust in princes;' which broke forth on learning that his royal master, 'for whose sake he had done these ill deeds,' and who had given him the word of a king, that not a hair of his head should be touched in Parliament, had already signed the commission which was to take away his life! Perhaps no mere moral effort could have made men superior to these impressions; they were probably counteracted as much by the universal hatred that Lord Strafford's violence had excited towards him, which united all parties, and brought the three nations to the bar of Parliament, in the character of three distinct accusers, as by any just separation of the several points upon which his countrymen were called to judge. It is nevertheless true, that the subsequent acts of intemperance and injustice into which the popu-

lar party were betrayed, have led many people hastily to conclude that the proceedings against Strafford, because principally conducted by the same leading individuals, were of the same description. But we have Clarendon's express authority, that no one yet had a purpose to rebel; and that the fire even now might have been covered with a bushel. The House of Commons continued still entire; the whole representation of the spirit and opinions of England, with the royalist members not merely in their places, but taking a very active part in the original prosecution. It was *this* House of Commons thus complete, which not only voted the impeachment unanimously, but unanimously resolved that the charges, as afterwards transferred to the Bill of Attainder, were high treason; and which, with the same unanimity, after having heard the evidence, resolved that these charges had been proved. (1 Phillipps, p. 190, 195.)

Neither is there any reasonable pretence that this accordance was brought about by timid apprehension from popular clamour. Such clamour (notwithstanding the recital in the act for the reversal of the attainder) only begun with the posting the subsequent minority as Straffordians, after the bill had passed the Commons; this is indeed so stated afterwards by this very Parliament itself, in their conferences upon the impeachment of Lord Clarendon.

It was, in fact, the change from the course of impeachment to that by bill, which originated the only difference of opinion that can be traced in the House of Commons. The motives for this alteration are very obscurely accounted for. At all events, it was most unfortunate; notwithstanding their previous votes, it has introduced a suspicion that they felt some weakness in their legal arguments; and the shrewdness of St John was tasked beyond its strength, in the declaration which he was commissioned to make of the reasons which had prevailed on the Commons to adopt this line. At the same time, looking over the list of the minority, we miss most of those distinguished names whom the injustice of the Parliament soon after united to the royal cause. It consists, as far as we know their history, of two classes only; the first were a few cavaliers, headed by Lord Digby, who, being a member of the Committee for the Impeachment, had shamefully betrayed his trust by underhand communications with the King; who, contrary to his word and duty, had made away with the Privy Council minutes, and who was naturally labouring to save the King from a course, which, by calling for his personal consent, would stamp him with personal dishonour. The other and more dis-

tinguished opponents of this new course, were those lawyers who felt an invincible professional objection to any substitution of a 'parliamentary way' for the plain judicial forms; this was led by Selden. It was a precise duty, which many, who afterwards shouted louder, either did not feel, or from which they shrank; and for his discharge of which, this most eminent and faithful citizen has been since quietly dismissed by Godwin, with the amusing compliment, 'such, after all, is the best of lawyers.'

It is impossible not to join, to a certain extent, in these suspicions and objections. In the absence of all other information, the inference from them would be fatal; but we happen here to have the means of forming an independent opinion of our own. The three principal points which can arise, either on the law or the justice of this case, must regard the form of the proceedings; the treason as declared, or the evidence as received under them. The mixture of impeachment and bill has the technical irregularity of making the House of Commons judges, who had not yet had time to lay aside the passions and character of accusers. But in the present instance, it is difficult to say that the accused was thus placed in any worse condition; for the whole case had been already gone through, strictly and judicially, as an impeachment before the Lords; and when the Lords came to vote upon it under its new title, thus previously investigated, it still remained as much within their competence as if it had been more exclusively left with them in its original shape. The bishops, who, according to usage, had retired from the impeachment, might (as Clarendon suggests) have returned under the bill; and in his Letters to Laud, it is one of Strafford's own assumptions, that the crown may always reckon on the bishops. The power of the Lords is not lessened, because the assent of the Commons and of the King is rendered necessary in addition. From the King's ungracious mode of expression, it would seem that the 'Amen which stuck in his throat,' was more a matter of form than of substance, and arose from a selfish anxiety to save appearances, rather than from any honourable sense of the claim which Strafford had on his pledged protection.*

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* The Genius of Frederick the Great could not resist the inhumanizing influence of his station, and he has disgraced one of his letters to Voltaire by the following brutal enunciation of a cruel indifference to mankind:— 'I look on men as on a herd of deer in a great man's park, whose only 'business is to people the inclosures.' Voltaire, whose great character-

'Sunday, all the day, the King was resolute never to give 'way to the bill; telling them withal, that it seemed strange

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istic, more honourable to him than all his talents, was a deep sympathy with his fellow-creatures, and who, whilst living with princes, never spared the censures they might deserve by their actions, sentiments, and maxims, answered him indignantly, with the great republican truth which Milton attributes to our first forefather, 'Between unequals there is no 'society.' Kings are certainly entitled to our commiseration, not more for the absence of the purest of all enjoyments, than for the want of all effective moral discipline, which this isolation of their rank implies. What an idea of the dismantling of our nature do the few striking words which Roper, Sir Thomas More's son-in-law, relates, convey! He had seen Henry VIII. walking round the Chancellor's garden at Chelsea, with his arm round his neck; he could not help congratulating him on being the object of so much kindness. 'I thank our Lord, I find his grace my very 'good lord indeed; and I believe he doth as singularly favour me as any 'subject in this realm. However, son Roper, I may tell thee, I have no 'cause to be proud thereof, for if my head would win him a castle in 'France, it would not fail to be struck off.' From the manner in which Mr Hallam mentions the remorse that Charles I. afterwards felt for having surrendered Strafford, there must be further evidence of these self-reproaches than we at present recollect; the prayer in the Eikon, he of course must consider as a forgery; the letter from Newcastle does not seem to imply much more than a deep sense of the error of having sacrificed an instrument so essential to his measures, and got nothing by it but shame to himself, and consternation among his adherents. It is natural that his misfortunes, growing from month to month, should have turned the scruples of conscience by degrees in that direction; but Godwin has shown by dates, that he came down to the House of Lords, and passed bills in person, the very day after the execution. Clarendon served, we know with what singular devotion, two generations of the Stuarts; it must have been with bitter application, both to Strafford and himself, whilst saying, 'they loved not to deny, and less to strangers than their friends,' that he derived this facility from an 'unskilfulness and defect of countenance,' and pathetically adds, 'not out of bounty or generosity—a flower which 'did naturally never grow in the heart of a Stuart or a Bourbon.' Subjects have an interest in the very Hornbook of princes—in every incident by which character is traced; and we thought the gaiety at least a very thoughtless one, that the following story lately created in the royalist circles of the Fauxbourg St Germain. It has about it a melancholy air *de famille*, and one might almost fancy the little dialogue taking place between the nursery figures in Vandyke's most agreeable picture of the children of Charles the First. There are certain savages now at Paris, or rather, we should say, were, for probably they are fed to death by this time. These gentlemen are Osages, and were exhibited to the royal children, who have for playmate a little Louis, son of the Duke of Richelieu. The children had previously been informed that the Osages

'to him *that the man could not die* unless he, and he only, by 'giving sentence in the King's legislative way, should condemn 'him.' (3 St. Tr. 1515.) This difficulty was created solely by the bill. The Earl of Bedford, in a very remarkable conversation with Lord Clarendon, is commissioned, evidently by Charles, to state, (423,) 'that if they would take his death upon them 'by their own judicatory, he would not interpose any act of his 'own conscience.' The Bill had then passed the Commons; and Clarendon is consulted as a party having a hold and influence over the prosecutors. Bedford, whilst canvassing for another course, on the ground of the royal scruples, adds, 'He 'was so well satisfied in his own conscience, that he believed 'he should have no scruple in giving his own vote for the pass-'ing it.'

There is a just objection entertained against the imminent danger of abuse to which bills of attainder, and of pains and penalties, are exposed; and we can have no positive certainty, notwithstanding all the caution used, both in the criticism upon the evidence during the trial, and in the reference of the law to the judges, but that there may have been some peers who took a distinction between a legislative and a judicial proceeding, and voted differently upon the Bill than they would have done

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were cannibals, and Mademoiselle cried with fright. Her brother, the young Duke of Bourdeaux, proposed an arrangement which would make all safe. 'Let us give them Louis,' said he, 'and see whether they will eat him!' The assistants were enraptured at the sense and cleverness of the child. It would have been well for the fathers of the admiring courtiers, if Louis XVI. had taken his stand in front of the first victims that the Osages of Paris once required. Can it be, that the fearful similitude, notwithstanding the preface of M. Maure, of this portion of their history, to the course we ran before them, should not visit them with occasional feelings of the possibility of a second Revolution? Their fanatics in philosophy were about as mad as our fanatics in religion. Louis XVI. and his Queen were striking pendants to Charles I. and Henrietta Maria. Mr Hallam has approximated Cromwell and Napoleon in a remarkable manner. The restoration of Louis XVIII. has been, to be sure, honourably distinguished from that of Charles II., by the amnesty of the regicides, and by the respect paid to the sales of ecclesiastical and other national property. But they have already passed through the first reign, that of their man of pleasure, and sayer as well as eater of good things. The Bigot Brother seems to have succeeded, and the Jesuits are urging on his career. They should remember the stern retribution. If the French government is really taking the hint which has been given it by the late elections, Villele will probably have saved his country in that dissolution of the Chambers which has destroyed himself.

upon the Impeachment. However, among the thirty-five who absented themselves, most probably as neutral people with half consciences, as many staid away to oblige the King,* as either out of fear of the mob, or out of favour to the Commons. We must also remember, that in the days of Strafford, these bills had for nearly two centuries been the usual course. Impeachments were then, in fact, the novelties: Accordingly, the same distinction could not be felt on that occasion as at present, respecting their comparative propriety.

The 25th Edward III. has been called, and as it has turned out, with great truth, the Magna Charta of Treason. But its original intention was to arrange the distribution of escheats, which in case of treason belonged to the King, and in case of felony to the lord of the fee, rather than to fix, by any just principle, the character of those offences, which a patriot or statesman would place in the awful chapter of crimes against the state. Turbulent times, such as those of Richard II., and arbitrary ones, like the reign of Henry VIII., had introduced for the occasion extravagant laws; by an immediate repeal of which, it was the policy of Henry IV., and of Edward VI.'s council, to popularize their unstable governments. But, instead of a manly endeavour to make the general law upon this subject at once comprehensive and specific, by a few plain enactments, recourse was again had, on the alarm of the moment, to seek additional security from time to time, either in temporary laws, for a given number of years, or during the life of the sovereign, or in violent judicial constructions, by which the statute of Edward III. was expounded to comprehend offences as little like treason, as was the early detention of a subject by a knight of Hertfordshire, for the purpose of extorting ninety pounds. The immediate consequence of that statute having been to set apart for the King certain escheats arising from of-

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* The King spared no pains. Clarendon (381) states, as a thing of course, that Lord Littleton had been made a baron, solely because he professed that he would earn his title by notable services on this occasion. There is a letter from Northumberland to the Earl of Leicester, written in cypher. '*He doubts the King is not very well satisfied with him, because he will not perjure himself for Lord Lieutenant Strafforde.*' Sydney Papers, vol. ii. p. 665. The temptation to disturb the course of justice in this case, admits of great apology. But Charles in his prosperity was not more scrupulous. Mr Hallam and M. Guizot, both exhibit him selling his connivance in one of the worst acts of Strafford's life, and pocketing L.6000 as a personal bribe paid him through Lord Cottington upon the distribution of the spoil.

fences directed against himself, his family, or representatives, it is not surprising, that, upon our being thrown back by these intermediate devices to so distant a period, we should find the treason there characterised to be, not so much treason generally against the State or Government, as treason against the King; in whom, moreover, the public interest was supposed to be concentrated, and in whose name the whole administration was carried on. The letter of the law could not have been more royal if drawn up in Turkey. Whilst good sense, courtesy, or servility, prevented the express anticipation of such national misconduct on the part of the King himself, as should amount to a forfeiture of the throne, the same considerations may also explain, if not justify, the omission of direct provisions for the condign punishment of similar schemes on the part of a minister, under such circumstances as suppose the connivance and countenance of the monarch. No interest, however, can be ultimately a gainer by these reserves; and whoever has pledged his faith to the British Constitution, will see no satisfactory reason why greater facility should be given by law to intrigues whose object is to consolidate it into a Despotism, than to conspiracies which would break it up into a Republic. Though it must be admitted that there is no head of Constitutional treason to be found expressly written in our early Statute Book, an evident understanding nevertheless appears throughout our history, that there was reposed in the omnipotence of Parliament, along with the latent power, (like that which was to create the dictatorship in Rome on such occasions,) a public confidence that it would be called into action, as often as a great and anomalous offender should defy all ordinary tribunals. It was the knowledge of this political truth, and the consciousness of deserving its application, which made Strafford speak, years before, of perilling his head by the line that he was pursuing; and under which, now that the crisis was arrived, he had besought the King for permission, before even Parliament had assembled, to withdraw from the storm which he foresaw impending. But without raising those scruples which every man ought to feel on the calling in of so dangerous an ally as an *ex post facto* law, though in punishment of the worst of all crimes—the perversion of high constitutional trusts by public servants—there is serious ground of consideration, whether, as the law was then, and indeed is still understood, the offence of Strafford did not come within its reach. This might be the case, either under the special exception contained in the act, or according to the principle of previous decisions.

The statute of Edward III., which bound down the ordinary

courts of law to the treasons as there enumerated, reserved to the King and Parliament the power of declaring, in doubtful cases, whether they be treason or other felony. St John strongly pressed this salvo, as a proof of the existence of other treasons at common law. Vaughan (afterwards C. J., and who, more scrupulous than Hale, refused to sign the engagement, and retired from the bar till the restoration) afterwards persisted, in the debate against Lord Clarendon, that there were other treasons besides those in the statute; though, to reconcile that argument with his former opinion, against a declaratory power in Lord Strafford's case, he would carry the determination of them from the King and both Houses, to 'that 'tribunal where the law useth to resolve, sc. the House of 'Lords.' The opinion of the Judges, which had been taken (A. D. 1663) on the occasion of Lord Bristol's preferring his individual charge as a sort of Lord Appellant, had left the effect of this proviso open to discussion. (6 St. Tr. 312.) We certainly are not disposed to infer, from the insertion of this clause, that any common law treasons still survive. It is evident, from earlier passages in Glanville and Fleta, that the Parliament was at that time considered as the supreme court of justice for which all difficult cases were to be reserved: A little later, Thorpe, C. J., (40 Edward III.) gives an account of the Council telling him and Green generally, 'not to go to judgment *without good* 'advice, &c. *Therefore come to Parliament.*' (2 Reeve, 410.) This practice, however, having fallen into desuetude, were it not for the pertinacious vitality ascribed to acts of Parliament, we should have consigned this clause to similar oblivion—repealed, it seems to us, that it never could have been, as it is a part of the very act up to whose limits the repealing statutes have always gone, but at the outer side of which they have as regularly stopped, and reverentially receded. The dilemma still remains, how to deal with this proviso, in point of interpretation or of tribunal; whether before the Lords only, or as the Judges (1663) agree, according to Coke's authority, supposing that it is still in force, before the King and both Houses. In either case, what rational distinction can be imagined between a judicial declaration of a before unheard of treason, and the legislative creation of a new one? The power, so construed, is equally dangerous and contradictory to every just notion of a law.

However, the Lords were not driven to solve this problem in the charge against Lord Strafford. Without referring to the supplemental provision in the act, they took (which Hume and Lord Clarendon suppress) the opinion of the twelve Judges upon the

ing to the ordinary usage of those times.—On the first point, a great variety of opinion will naturally exist.—Mr Phillipps, to take a single instance, seems to conclude, that the evidence given originally before the Peers by Sir H. Vane, the father, was designedly false. If this be the fact, then the Privy-Council minutes, represented as found by the son in his father's closet, and according entirely with that evidence, must have also been a forgery. Lord Digby, indeed, whose treachery in making away with these minutes, is reprobated by Whitelocke, who was by this means long subjected himself to considerable jealousy, speaks slightingly of Vane's evidence, and of the discovery of the notes: But we are not aware that there is a hint in Whitelocke, Clarendon, or elsewhere, of the falsehood, although the latter dilates on the malice of the discovery. The father—an old man, as Laud observes in his own defence—might have been at first less collected, and afterwards more positive in speaking to words which no other member of the Council heard, than such a case required. But whatever animosity was lighted up between the families, it is a gratuitous supposition, that either he, or much less his son and Pym, would have been deliberate parties to so foul a crime. If such a charge could have been accredited against the younger Vane, we should have heard enough of it afterwards from his destroyers.

Slight omissions in the report of evidence may change its whole effect: Strafford's defence of his despotism in Ireland, was, that it was the custom of that country. In the report, Lord Ranelagh, after mentioning the practice of laying on soldiers in case of delinquency, is stated incidentally to add, that he had *never before* heard of it in a civil cause between party and party. This variation from the system of former presidents, and annihilation of the little law left to the Irish, were probably therefore proved. There is in his correspondence a singular confirmation of his anxiety to extend the authority of his Council over civil suits in Ireland, as he had done in Yorkshire; of which these military executions, to use the word in a civil sense, would be the natural consequence in that devoted country. 'I 'find,' says he, 'that my Lord Falkland was restrained by pro-'clamation, not to meddle in any cause between party and party, 'which did certainly lessen his power extremely: I know very 'well the common lawyers will be passionately against it; who 'are wont to put such a prejudice upon all other professions, as 'if none were to be trusted or capable to administer justice but 'themselves; yet, how well this suits with monarchy, when they 'monopolize all to be governed by their year-books, you in 'England have a costly experience.'

On the second point, the debates which arose upon evidence, show what all who have looked historically into earlier trials are well acquainted with, the unsettled state of its law and practice. Strafford's objections, as different matters are put in, mark no less his great preparation than acuteness, but are generally much more contrary to all rules than any of the arguments urged for their reception. The same question, whether a copy is admissible, was ruled both ways, and in the most important instance in favour of the prisoner. We are sorry to find Mr Phillipps adopting as a general rule, and in such strong terms, from Clarendon, the censures which we have always thought unwarrantable, respecting the admission of the evidence of the Privy-Councillors, to prove advice given at the council table. The analogy of professional communications between attorney and client seems irrelevant: yet even there the privilege is not that of the adviser but that of the party advised—it would be no plea in defence of an attorney charged with having given treasonable advice to his client, that he gave it in the character of an attorney. Besides, if the client waves the privilege, there can be no objection to receiving the evidence; and in the present instance, were we to admit the analogy, the King, acting on the part of the public, for whose interest the supposed rule exists, consented that his councillors should be examined. Mr Phillipps admits, that the inviolability of these secrets does not depend upon the oath. Of course it cannot. Commissioners for the property tax have been, under certain circumstances, constrained to give evidence of what had come to their knowledge in exercise of that trust. Upon the same principle, the oath of a grand juror has been dispensed with: for in such oaths there is an implied exception in favour of what may be required in a court of justice. Nor do we see that any authority for this position can be obtained from the refusal, by the ordinary courts of justice, to force out collaterally, either in civil cases or on the demand of the prisoner upon an indictment, disclosures from public servants, which it is possible may be incompatible with their duty and with the interest of the state. The circumstances of the present question are totally different, both in the nature of the charge upon which it can arise, and the parties to the trial, whether accusers or judges. Whilst, according to the constitution, the giving evil advice to the Sovereign is a distinct offence, for which an English minister is answerable to his country, there is surely an insuperable inconsistency in affirming, that the only means by which this evil advice can be ascertained cannot be lawfully pursued. What other course is open? It would surely be a greater violence to make him convict himself.

The King can hardly be brought forward. Lord Bristol petitioned the House to move Charles I., that his Majesty would decline his personal testimony against him: and even in the reign of Edward IV., the House of Commons requested that the Duke of Clarence might be tried over again, for *nemo arguit contra ducem, nisi Rex;* which (Selden says) they held justly to be inconvenient; that he who had forfeiture of life, lands, and goods, should be accuser, witness, and judge.

Unless, therefore, the evidence of other members of the council is admissible, since there remains no other way of proving the ill counsel, the sooner such a vain scarecrow as the responsibility of advisers, is struck out of the public law of England, the better. It is only delusion to keep up names where there can be no reality. The worst consequence that follows from the ordinary rule is, that private individuals may at times be exposed to possible difficulty and loss, because they cannot get at the truth in some extraordinary case, without trespassing indirectly on facts, which the public policy requires should be concealed. But in this case these concealed facts are themselves the supposed crime. It is in vain that the Parliament of England is seen tracking out this secret advice, as a direct injury to the State, while such a rule expressly shelters it in an inviolable asylum. The law cannot presume, that the greatest authority it acknowledges, and by which alone itself subsists, will either visit as a crime against the public such counsels as might be faithfully and wisely given, or that it will wring out any divulgements, at the expense of greater evils than their prosecution is really worth.

Councillors, however, it is said, were horror-struck with the bearings of such a doctrine—'It banished for ever all future free-'dom from that board; and all men satisfied themselves, that they 'were no more obliged to deliver their opinions freely.'—This is the same sort of reasoning by which the exclusion of attaints from criminal cases, and the supposed tenderness of the law in behalf of perjury, when practised against human life, are accounted for: so that, if men were to be capitally punished for giving verdicts or evidence against the life of another falsely, corruptly, and maliciously, honest jurors and witnesses would, by such examples, be deterred from discharging their duty conscientiously against future malefactors! The protection of falsehood is a strange premium on, and security for, truth. Virtue disowns such fears, as it is superior to such compliances: and other reasons certainly may be found, which would keep sincere lovers of their country at a distance from, or in silence at, the council table of Charles the First. The whole passage in Clarendon, is indeed irreconcilable with any practical responsibility in ministers, as advisers of the Crown. It assumes the false and

fatal supposition, that a King of England can have, as between himself and people politically, any secrets, or an interest in any counsels, which in proper time and place, he need feel either fear or shame in presenting to them. In the debates in the House of Commons respecting the cabal, (A. D. 1674,) no exception, it is stated, was taken on Strafford's case against this examination; and Lord Arlington, having leave from the King to come for his own purgation, answers distinctly to several questions in succession, by whose advice certain unpopular measures had been taken. In the same manner, Burnet mentions, (vol. iii. 362,) that the Privy-Council were released from their oaths upon the subject of the Partition Treaty. The impeachment also of Lord Danby, was grounded on two letters, which revealed the baseness of Charles the Second, in selling the interest of his kingdom for the bribes of Louis; and which Lord Danby, as Lord Treasurer, had written by the direction of the King himself, to Mr Montague, our Ambassador at Paris. Through these long proceedings, hotly debated for some years, there is not a hint by any individual whatever, that the disclosure, though of course personally most offensive to the King, ought not to have been received. Yet if this topic had been felt arguable, it could never have been taken advantage of under more favourable circumstances,—For, Reresby says, 'Mr Montague was, 'in this case, justly censured, for disclosing what had passed 'through his hands, when a public minister, without the King's 'leave.' Lord Danby, in his address to the Lords, alludes to the ungentlemanliness of the action being such as was its own censure: but he is far from attempting an objection in point of law, to the production of these state secrets, though evidently the most confidential possible: and yet the stand he took on his pardon, proves that he had no abhorrence of any such technical defence as had a chance of being maintainable. His only complaint is, that there was more which was kept back. 'If the 'gentleman were as just to produce all he knows for me, as he 'hath been malicious to show what may be liable to miscon-'struction against me, or rather against the King, as indeed it 'is, no man could vindicate me more than himself.'

On such a point, these and other Parliamentary precedents, undisputed and unsuspected, ought to be conclusive. Unfortunate doctrines have been at times promulgated by the Judges as a part of the common law, according to their own private notions of public policy: There was an early case against machinery so decided—some of the restrictions on free-trade, as engrossing, &c., are donations out of the same liberal discretion. But none of these judicial imaginations which have flourished before, and in some instances, since the publication of the 'Wealth of Na-

'tions,' appears to us less authorized by the truth of the principle they assume, than this rule of exclusion, as advanced by Lord Clarendon, on the same short and gratuitous supposition.

The reference both in Rushworth and Whitelocke to the Eikon, shows that their reports of the trial were touched up at a much later day: and the well-known eulogies in the last, appearing, as they do in his memorials, to form part of a journal composed at the time, are, if genuine, extraordinary marks of the facility of his disposition. We suspect them to be interpolations of that age of forgery. They read to us at the present day, as irreconcilable with the line which he was then so stoutly holding in the management of these very charges.

Hume alludes to Clarendon, as the great contemporary authority, in terms which every delighted student must wish to adopt. Hume certainly would not have been justified in casting a stone at any one upon the score of historical dishonesty; but the unfairness of the noble historian is a taint that spreads so far, and under circumstances so inexcusable, that we can truly say, there are few delusions of which it has been so painful and discouraging to us to be disabused, as that under which we once fancied Clarendon a sort of English Sully. Nothing can be more unsatisfactory than his notice of Strafford's trial, compared with all one can make out of his contemporaneous conduct. He says, that 'the law was *clear*, that less than two witnesses ought 'not to be received in a case of treason.' In so remarkable a point as this, he must have recollected the uniform practice against that proposition, ever since the reign of Mary: he must have observed the fairness and moderation with which St John puts the doubt, 'whether one direct witness, with others, to circumstances, 'was the double testimony required by the first of Edward the 'Sixth.' He must subsequently have learned, as a lawyer, the rule which was apparently invented by Sir Thomas Withington on the trial of Love, the celebrated Presbyterian minister, (A.D. 1651,) and afterwards adopted as the 6th Resolution of the judges, on the trial of the Regicides, (as it has always been since acted upon,) that two several witnesses, proving two several acts of the same species of treason, satisfy the statute. But, applying this rule to Strafford's trial, he would have found a sufficient amount of facts, at least of the same nature, *i. e.* subversive of the laws, adequately proved. As Lord Chancellor, it is difficult to believe that he did not know that the question, even in a later period of the restoration, was debated among lawyers. At the consultation of the Judges in Tonge's case, (1662,) Sir Orlando Bridgman, Chief Justice, and other

were of opinion, that the words requiring two lawful
s had been repealed.

Strafford's speech has always been deservedly admired, though Mr Brodie prefers that which Lord Herbert has put into the mouth of Sir Richard Impson, the principal merit of which seems to be —that the legal argument, from lying in much shorter compass, and, besides, being infinitely stronger in itself, is more precisely and convincingly stated. But Strafford's eloquence is surely of a higher order. It has given to his fall, in the eyes of many, the air of a triumph: whilst his powerful argument against constructive treason has almost ranked him with the defenders of public freedom. It is true, that the affectation of being exceedingly troubled, because his case would make a bad precedent, is one of those suggestions which would have come more suitably from an advocate than from the prisoner himself. The reader smiles as he remembers the precedents which he had been himself accumulating for years, with so little scruple, and such boundless triumph. We need not recur to Baillie's anecdote, that the death of his wife was attributed to a blow from him, upon being reproached by her with one of his amours. It is enough to have once read the beautiful letter written to him by Lady Mountnorris, as a kinswoman of 'that saint in heaven,' (beseeching him in that name, and by that memory, for mercy to her most outraged husband and his children,) and to see, by Clarendon's indorsement, 'that he was hard-hearted enough to refuse,' never to look at the speech again. From Hume's generalization of the strong picturesque style of the original, it is clear that the philosopher had as little sympathy with oratory, as his notice of Shakspeare shows him to have had with everything to which poetry appeals. Such alterations in language are not less injudicious violations of historical form and colour, than the sceptical arguments for religious toleration which, in another place, he has invented for Burleigh, are inconsistent with the character of that statesman and that age.

Mr Brodie and Mr Godwin justify the Bill of Attainder; Mr Phillipps answers them by the higher authority of Mr Fox, who speaks of it as 'a violation of the substantial rules of criminal 'proceedings.' Mr Fox, however, it should be observed, seems entirely to found his opinion upon the simple fact of its being a Bill of Attainder, instead of an impeachment. On a strict examination of all that passed upon this occasion, a case can hardly be imagined where, according to the case itself, and the precautions observed in it, this distinction would have practically operated less unjustly. But this question depends so much on the feelings and notions current at the time, that at this distance we are perhaps not competent to determine it; and the doubt constantly recurs, which it is impossible to clear, that the managers of the prosecution must have perceived some im-

portant difference, and have had some great and otherwise scarce-attainable object in view, before they would have volunteered all the embarrassment attendant upon a change in the order of their battle, at the moment when it was drawing to its close. The suspicion is much greater, than if they had begun originally by Bill, that it was possibly treated as one of those cases admitted by Montesquieu, 'où il faut mettre pour un mo-'ment un voile sur la liberté, comme l'on cache les statues des 'Dieux;'—a doctrine justly described as being 'une Anglomanie 'un peu forte.' Paley evidently agrees with Mr Fox in the proscription of Bills of Attainder under all possible circumstances. Mr Hallam, we perceive, would retain these excepted cases, of which, perhaps, Strafford's is, when so considered, strictly the first, and, after all, the most legitimate instance in our legal history. Earlier times had gone much more coarsely to work. Our law, to make it at all reasonable, is framed on this supposition. If the sword of Brutus is to be taken entirely out of the hands of the State, and no exception left, for parliamentary retribution, then the law ought without doubt to be remodelled, for the purpose of meeting these quasi-royal delinquencies, and of circumscribing them within the compass of legal definition. Till that is done, an age, which has itself witnessed a Bill of Pains and Penalties, is not entitled to reproach others for a Bill of Attainder as essentially unjust. Mr Fox assumes, that when a person is so far in the power of his enemies that he can be tried, he is not sufficiently formidable to fall within such exception—this of course strikes out the exception altogether. But Mr Fox might have found some difficulty in satisfying Pym and Hampden what they could, with due consideration of the future, do with such a man: reflecting on his resoluteness of purpose, his treachery to the public, the intrigues even then carrying on in the Tower for his escape, (concerning which Clarendon himself carried a message from the Commons to the Lords,) the thorough insincerity of the King, and the circumstances which were coming upon the country. Unfortunately, the detected falsehoods of Charles, on record, are so numerous as to place his talent for equivocation on a level with King John's. His declaration 'that he did indeed 'think the Earl of Strafford unfit ever after to serve him in any 'place of trust, even that of constable,' could only heighten their suspicions. The necessity for his services which, in spite of the dislike shared both by Buckingham and the Queen, had obtained him all his former power, would increase with every emergency, until it became irresistible. Where, then, they would ask, could this great apostate, stern enough to be almost the original of Milton's 'Archangel ruined,' be deposited with safety, but in the grave? Yet it is so much better to stop short

than to go beyond; and we are ourselves so far disposed to agree with M. Guizot respecting the inefficiency of death as a punishment in political offences, that whilst we think the success of no cause was ever more identified with the person of one man than that of absolute monarchy, with the life of Strafford, we would have run all chances for the temporary fate of the English constitution, rather than have forced this principle out of its strictest level, or given an excuse to reasonable minds for any sympathy with so declared a public enemy. Every man feels, and few men reason. Therefore, Strafford's execution has, beyond all doubt, retrieved his character with that part of posterity which passes over the four acts and a half, and dwells only on the catastrophe of the drama. Far be it from us to regret that it should be so. There is no truth more abundantly exemplified in the history of mankind (and there have been, unfortunately, persecutions of all sorts, till it seems again and again established in almost all possible ways) than that the blood of martyrs, spilt in whatever cause, political or religious, is the best imaginable seed for the growth of favour towards their persons, and, as far as conversion depends on feeling, of conversion to their opinions. 'Quoties morimur, toties nascimur.' If the passions of fear and vengeance will but listen to this lesson, we will promise never to quarrel about the school in which they learn it, or to dispute the example by which they find it proved.

But we must stop. The early state of our criminal law seemed to be most strikingly exemplified in the trials we have now noticed—being the first that are selected by Mr Phillipps; and we have been detained longer than we intended over the great national process against Strafford. Few cases will more repay any time bestowed on them, as well from the interesting point on which it stands in English history, as from the comparison of such extensive and delicate topics as must be classed and balanced in its investigation. There is more in it than the setting off the vengeance of a day against the tyranny of ages. Passing by the peers who absented themselves from fear or favour; some, not of the least honest and enlightened, probably were missing on the final vote, from downright inability to reach a sufficient confidence in their conclusions.

But the most considerable part of Mr Phillipps's book yet remains. It embraces the short period of eight-and-twenty years; yet what years!—from 1660 to 1688. If there is between the four seas a single reader of our general histories whose eyes are not opened, until he arrives at the trial of the seven Bishops, upon the solemn necessity of the second Revolution, he will see, in the commentary of Mr Phillipps, (not more dispassionate than intelligent,) ample proof what was the previous real con-

dition of the English people, and the prostration of English law. Yet this period the clergy chose to select and sanctify, by the Oxford decree, published the very day of Russell's execution! He will there learn the title which the Church of England thus put forward to the gratitude of future ages, as the patroness of civil rights, or to respectful deference as a political instructress, when she could be the preacher of passive obedience on the scaffold to Russell and to Monmouth, amidst the conflagration so fiercely gathering round the persons and liberties of the laity of England.

The state trials of this interval testify the inestimable advantages which England has gained by the Revolution, in the administration of justice only. Were there nothing else, half a dozen dynasties would have been cheaply changed for this single object. There was as much disgrace in the tour of Jeffries through the north to pick up charters, as of horror in his campaign in the west, to glean the refuse of Kirke's sword. That millennium of law which the commonwealthmen prophesied, 'The Church was, the Sword is, and the Law shall be,' was dropping back fast in the horizon. It was left, indeed, to Sir Bartholomew Shower and his committee of dependent Templars, to rejoice in the common degradation, and hover, as round a carcass which they seemed to scent. But the profession at large appears to have been somewhat discouraged by the ill success of the late experiment, and by the re-action against the free course of justice which had characterized the *regni novitas* of Cromwell. We see none of that collected power of resistance which so long and eminently distinguished the Parliaments of Paris; none of that courage and self-sacrifice which, notwithstanding all the judicial subservience that we now observe and justly reprobate, made the common lawyers the great terror of, and barrier against, the encroachments of the two first Stuarts. We must do justice to black-letter. To their infinite honour, James the First protested, that 'the popular lawyers' (those whom Bacon calls the *literæ vocales* of the House) 'had been 'the men who, in all Parliaments since his accession, had trod-'den on his prerogative.' Again, as Mr Hallam points out from the correspondence between Laud and Strafford, nothing is more evident nor more gratifying than to remark, that the first and indispensable measure of these two allies in their scheme against the liberties of their country, is the preliminary subjugation of the indomitable race of 'common lawyers.' The one 'can do no good with the Church, because it is bound up with 'the forms of the common law: which will not let go its hold.' The other 'does disdain to see the gownsmen in this sort hang 'their noses over the flowers of the crown.'

Thanks unto our ancestors, there is now no Star-chamber before whom may be summoned either the scholar, whose learning offends the bishops, by disproving incidentally the divine nature of tithes, or the counsellor, who gives his client an opinion against some assumed prerogative. There is no High Commission Court to throw into a gaol until his dying day, at the instigation of a Bancroft, the Bencher, who shall move for the discharge of an English subject from imprisonment contrary to law. It is no longer part of the duty of a privy councillor to seize the suspected volumes of an antiquarian, or plunder the papers of an Ex-Chief Justice, whilst lying on his death-bed. Government licensers of the press are gone; whose infamous perversion of the writings of other lawyers will cause no future Hale to leave behind him orders expressly prohibiting the posthumous publication of his legal manuscripts, lest the sanctity of his name should be abused, to the destruction of those laws, of which he had been long the venerable and living image. An advocate of the present day need not absolutely withdraw (as Sir Thomas More is reported to have prudently done for a time) from his profession, because the crown had taken umbrage at his discharge of a public duty. It is, however, flattery and self-delusion to imagine that the lust of power, and the weaknesses of human nature, have been put down by the Bill of Rights, and that our forefathers have left nothing to be done by their descendants. The violence of former times is indeed no longer practicable; but the spirit which led to these excesses can never die: it changes its aspect and its instruments with circumstances, and takes the shape and character of its age. The risks and the temptations of the profession at the present day are quite as dangerous to its usefulness, its dignity, and its virtue, as the shears and branding irons that frightened every barrister from signing Prynne's defence, or the writ that sent Maynard to the Tower. The public has a deep, an incalculable interest in the independence and fearless honour of its lawyers. In a system so complicated as ours, everything must be taken at their word almost on trust; and proud as we, for the most part, justly are of the unsuspectedness of our judges, their integrity and manliness of mind are, of course, involved in that of the body out of which they must be chosen. There is not a man living, whose life, liberty, and honour, may not depend on the resoluteness as well as capacity of those by whom, when all may be at stake, he must be both advised and represented in a court of justice.

We are quite sure, though Lord Eldon's reign has closed, that these are not times to bate a single jot of all possible security or encouragement for the public spirit of the English Bar; or when an example can be safely afforded of the punish-

ment of one of its most distinguished, and, by the consent of all men, most honourable members, for the conscientious discharge of the greatest of all human trusts. Persecution can no longer, it is true, drive the honest advocate away from without that bar; but by exclusion, and depression, and discountenance, it may attempt his proscription and his ruin. The Chancellor and the House of Lords, like every other court, have the control of those who plead before them: and for this purpose there can be no other safe tribunal but the court itself. Least of all is impartiality likely to be found, or the interests of justice served, if the *Party* to a cause, dissatisfied with the approbation or forbearance exercised by the court towards the counsel on the other side, takes his punishment into his own hand, according to his own estimate of the propriety of the line of argument pursued. The danger, too, is great in proportion to the greatness of the party. It is due to the court in question to assume that the Peerage of England maintained its rights and discharged its duties. Better at once refuse counsel in all cases where the Crown is *personally* concerned (we shall then know where we are) than to surround them with hopes and fears such as are unknown and impossible upon all other occasions. The position of an advocate is indeed cruel, if he is bound not merely to satisfy his Judges, but to make his topics and his language pleasing to the Party against whom he is retained; and this, too, at the peril of his professional rights, advantages, and honours, perhaps of his professional existence. He must speak, as the restoration judges compelled Major Harrison to defend himself—the hangman standing by with a halter in his hand.

The King, who feels it his duty to have no *predilections* but what are common to all mankind, will surely deem it also for his honour to say the same of sentiments of a contrary description. Augustus had the magnanimity to pass over impetuous language, at which less princely natures might have thought it not beneath them to be offended. Above all, it is surely the bounden duty, due both to the profession and the public, of the minister who represents the law near the royal person, to remove such false impressions, to vindicate so great a principle, and to consult by a plain measure of long-delayed, but not the less simple justice, his prince's dignity and his country's service. All parties are equally concerned that our *last State Trial* should not go down to posterity marked with a precedent so unworthy of the elevated character on whom it strikes, so discreditable in its similarity to the practices of our most obnoxious reigns, and so dangerous in its application and effects to that civil courage, which, of all political virtues, is a hundred times the most rare, yet of all the most invaluable to a free people, in public servants.

ART. II.—*Inquiries with respect to the Progress and State of Pauperism in England since the reign of Queen Elizabeth.* pp. 125. London, 1827.

WE shall have very little to do with theory in this article. The fundamental principle of the Poor Laws has been so often discussed, that it is now unnecessary to say a word on the subject. No one loves industry and frugality for their own sakes. They are practised, by the best of us, only as means to an end; that is, as means to obtain the necessaries and conveniences of life when in health, and to secure a resource in sickness and old age. Now, if such be the fact, is it not obvious, that if the state proclaim that all who are in indigent circumstances, or unable to provide for themselves, shall be provided for by the public, the most powerful motives to the practice of industry and frugality must be wholly destroyed, or at all events very much weakened? But this is what the Poor Laws proclaim. They say, that in England, no man, however idle or unprincipled, shall ever suffer want: And it is almost universally admitted, that in their practical operation, they tend to render the poor idle and improvident; that they teach them to depend on parish assistance, instead of trusting to their own exertions; and tempt them to form the most inconsiderate connexions, by assuring them that, if the wages of labour should at any time be found insufficient for their support, and that of their families, the deficiency will be made up by the parish.

It seems impossible to doubt the correctness of these conclusions; and yet it is no easy matter to reconcile them to what has actually taken place. It was formerly, indeed, contended by Mr Howlett, and more recently by Mr Barton and others, that this effect of the Poor Laws, however inevitable it may at first sight appear, has not been practically produced. The statutory provision for all who cannot support themselves, has now existed for upwards of two hundred and twenty years; and we are bound, therefore, to avail ourselves of this experience, and to decide with respect to its effects, not upon theoretical grounds, or conclusions drawn from *imagining* what the conduct of the labouring class must be when they have a recognised claim to public support in all seasons of difficulty, but by looking to what that conduct really has been during this long period of probation. It is affirmed, and truly, that there was no considerable increase of population in England from the period when

the Poor Laws were first established, up to the middle of last century; and, it is alleged, that its recent increase has been wholly owing to the prodigious extension of manufactures and commerce, and has not exceeded its increase in Scotland, where the system of compulsory provision has hitherto made but very little progress. It is farther affirmed, that it is false to say that the labouring population of England have, at any time, discovered a want of forethought and consideration; that they were formerly eminently distinguished for these virtues; and that, notwithstanding the unfavourable change made in their condition, by the rise of prices, and the revulsions of industry since the commencement of the late war, they will still bear an advantageous comparison in these respects with the people of any other country: and, in proof of this, we are referred to the returns obtained under authority of the House of Commons, which show that in 1815 there were no fewer than 925,439 individuals in England and Wales, being about *one-eleventh* of the then existing population, members of Friendly Societies, formed for the express purpose of affording protection to the members during sickness and old age, and enabling them to subsist without resorting to the parish funds. It is alleged, that no such unquestionable proof of the prevalence of a spirit of providence and independence can be exhibited in any other European country. If the poor have, in some districts, become degraded, it is affirmed, that this degradation has not been owing to the Poor Laws, but to extrinsic and adventitious causes; and, in particular, to the excessive influx of paupers from Ireland, a country where there are no Poor Laws; and the condition of the population of which, affords, it is said, a conclusive proof of the fallacy of all the complaints that have been made as to the injurious operation of these laws.

Such, in a few words, is the substance of the statements that are occasionally put forth by the apologists of the Poor Laws. And, however inexplicable they may appear, it is impossible to deny that they are well-founded in fact. It admits of demonstration, that from the period (1601) when the act of the 43d of Elizabeth, the foundation of the existing code of Poor Laws, was promulgated, to the commencement of the late war, there had been scarcely any increase of pauperism; and that few or none of those pernicious consequences had actually resulted from their operation which we are naturally led, looking only to the principles they involve, to suppose they must produce. This apparent anomaly may, however, be satisfactorily explained. That the establishment of a compulsory provision for the support of the poor would, *unless it were accompanied*

by some very powerful counteracting circumstances, have the effects commonly ascribed to it, is most true. But a very little consideration will show that the establishment of such a compulsory provision as was instituted in England by the act of Elizabeth, must soon have produced these counteracting circumstances. It laid the burden of providing for the poor on the landlords and tenants of the country: but it left them to administer that relief in the way they thought best; and it powerfully stimulated them to take measures to prevent the growth of a pauper population. If, therefore, the establishment of a compulsory system for the support of all sorts of poor has not had, as we are ready to concede it has not, all the effects that have been ascribed to it, it is not to be concluded that a false estimate has been formed of its principle and practical tendencies; though it is, at the same time, certain, that too little attention has been paid to the circumstances by which its influence has been counteracted.*

The question with respect to the establishment of a poor's rate is not to be decided by looking only to its probable influence on the lower classes; those who *pay* the rates are affected by them as well as those who *receive* them. If the object of the one party be, speaking generally, to increase them to the highest limit, that of the other is to keep them as low as possible. Under certain circumstances, the former of these influences may prevail; but under other circumstances, the latter may be the more powerful of the two. And, at all events, it is certain that no sound conclusion can be drawn with respect to the *practical* operation of the system, without looking carefully to the circumstances under which both the payers and the receivers of the rates are placed relatively to each other, and at the conduct which they respectively follow.

Assuming, therefore, that the tendency, if not otherwise counteracted, of the institution of a compulsory provision for the poor, is to increase their numbers, their improvidence, and their profligacy, we shall first shortly state, and shall subsequently investigate at greater length, the circumstances which appear to us to have counteracted this tendency of the Poor Laws; and which have led to the apparent difference, that at present exists, between the theoretical conclusions as to their operation, and the actual results of that operation.

In the *first* place, then, the *mode* in which relief has been ad-

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* Public attention was first directed to this view of the subject by the learned and able editor of the *Morning Chronicle*.

ministered to the applicants has powerfully contributed to counteract, and has indeed in some measure subverted, the system. In point of fact, the act of the 43d of Elizabeth has not been *bona fide* carried into execution. The act says, that employment and subsistence shall be found for all who are unable to find them for themselves. But those who have had the interpretation of the act were long in the habit of denying all relief, except to those who resorted to public work-houses; and there are very many needy persons who would be eager to claim assistance from the public, if it could be obtained without any extraordinary sacrifice, who would yet reject it, when coupled with the condition of submitting to imprisonment in a workhouse, and subjecting themselves to the vexatious tyranny of overseers. —And, in the *second* place, the desire to protect their estates from a burden to which there was no definite limit, by keeping the rates as low as possible, stimulated the landlords to take very strong measures to prevent the building of cottages and an increase in the numbers of the poor. The combined influence of these circumstances was for a long time sufficient to balance, and even more than balance, the effect of the compulsory provision; and it is only in the southern counties of England, and there only since 1795, that that provision has been enabled to exert its full effect.

I. Dr Davenant, whose accuracy and skill in political arithmetic are well known, estimates the total amount of the sum expended on the poor of England and Wales, in 1685, at L.665,000; and contemporary writers estimate it, at the commencement of Queen Anne's reign, at about a million. Previously to this epoch, and for some time after, it had been customary, except in a few great towns, to relieve the able-bodied poor at their own houses. But though some very plausible reasons may be adduced in favour of that plan, we cannot help thinking that it is, of all modes of administering relief, the most effectual to encourage pauperism, and to weaken the spirit of industry. When the poor are relieved at their own homes, they are enabled to continue their former mode of life, with less, or, it may be, without any exertion. If the labourer be really industrious, then it is obvious that a pension from the parish is a *bonus* given to him, over and above the common and average rate of wages earned by independent workmen, merely because he is a pauper; and if, on the other hand, he is idle, a pension supplies the place of the wages of labour, and enables him to eat the bread of the industrious without molestation! Under such a system, too, paupers continue to enjoy the society of their families and friends; they are neither degraded in their

own estimation nor in that of the public; and poverty, instead of being an evil, is, by the mistaken humanity of the Legislature, converted into a blessing.

The palpable disadvantages of this mode of administering relief were distinctly perceived and pointed out by Sir Matthew Hale, and other eminent men, so early as the middle of the seventeenth century; and to obviate them workhouses were erected in some great towns. The good effects of which these establishments were found to be productive, prepared the way for their general introduction; and in 1723, an act was passed, authorizing the church-wardens and overseers, with consent of the parishioners, to establish a workhouse in each parish: and it was at the same time enacted, that the overseers should be entitled to refuse relief to all who did not choose to accept it in the workhouse, and to submit to all its regulations.

In consequence of this act, workhouses were erected in many parishes, and they had an instant and striking effect in reducing the number of the poor. Many who had previously received a pension from the parish, preferred depending on their own exertions, rather than take up their abode in the workhouse. Indeed, the aversion of the poor to workhouses was so great, that Sir F. M. Eden mentions that some, whose humanity seems to have exceeded their good sense, proposed, by way of weakening this aversion, '*to call workhouses by some softer and more 'inoffensive name.*' *

We have already seen, that the amount of the poor rates was estimated by Dr Davenant, in 1685, at L.665,000; and that contemporary writers had estimated them, at the commencement of last century, at about a million. There is no reason to think that they had been diminished in the interval between 1700 and 1723; on the contrary, if we might trust to statements made at the time, by writers of good authority, we should be disposed to think that they had increased. Assuming, however, that the rates had continued stationary from 1700 to 1723, or that they amounted to a million at the latter epoch, the returns to the orders of the House of Commons show that they were very considerably *reduced* during the next twenty-five years: For, according to the official accounts, it appears that the total sum raised by assessment under the name of poors' rate, in England and Wales, during the three years ending with 1750, amounted, at an average, to L.730,135 a-year, of which L.689,971 were expended on the poor, being a mere trifle more than the sum expended on them at the Revolution, and about

* State of the Poor, vol. i. p. 285.

L.300,000 less than the sum supposed to have been expended at the commencement of the century. This certainly is a very remarkable result; and cannot be explained otherwise than by the operation of the workhouse system—All the lazy, profligate, and disorderly part of the community necessarily entertain the greatest possible disinclination to the hard labour and severe discipline enforced in every well-conducted workhouse: And those, on the other hand, who are respectable, and who have enjoyed the sweets of domestic society, would rather submit to the severest privations at home, than leave the company of their relations and friends to seek for subsistence in these receptacles of poverty and vice.

We may remark, by the way, that those who have advocated the establishment of workhouses, on the supposition that it might be possible to turn them to good account as manufacturing establishments, or to make them defray the whole, or a very considerable portion of their expense, seem to have greatly misconceived the proper objects and effects of these establishments. It is idle to suppose that the forced labour,—the *vincti pedes, damnatæ manus, inscripti vultus* of paupers, will ever be able to come into competition with the labour of industrious and independent workmen. The real use of a workhouse is to be an asylum for the able-bodied poor—for the maimed and impotent poor, may, speaking generally, be more advantageously provided for elsewhere: But it ought to be such an asylum as will not be resorted to except by those who have no other resource, and who are wholly without the means of supporting themselves. The workhouses of England, though there have been some exceptions, have, in most instances, been too comfortable. Every possible precaution should be adopted to preserve the health of the inmates, and efforts should be made, by a proper classification or otherwise, to amend their morals, or at least to prevent them from becoming worse. But this is all that ought to be attempted. The able-bodied tenant of a workhouse should be made to feel that his situation is decidedly less comfortable than that of the industrious labourer who supports himself; and that a life of unremitting toil, supported on coarse and scanty fare, is to be his portion so long as he continues in this dependent and degraded state. The humanity of those who would turn workhouses into respectable inns, who would place paupers and beggars on the same level, in point of comfort, with the honest labourer who provides for his own wants, is spurious and mischievous in the last degree. The intentions of such persons may be good; but their mistaken bounty encourages those who receive it to continue in their idle and vicious courses, and weakens all the motives to exertion in

others. Who would be industrious, if industry were to be without any peculiar or considerable reward? who would be provident and parsimonious, if the improvident and the prodigal were to be rendered equally secure against want?

II. But of all the circumstances which contributed to render the growth of pauperism in England so much slower than might have been expected under the system of compulsory provision, the most powerful undoubtedly has been, that that very system made it the obvious interest of the landlords and occupiers of land to oppose themselves to the increase of the labouring population. They saw that if, either by the erection of cottages, the splitting of farms, or otherwise, the population upon their estates or occupancies were augmented, they would, through the operation of the Poor Laws, be burdened with the support of all who, from old age, sickness, want of employment, or any other cause, might become, at any future period, unable to provide for themselves. The wish to avoid incurring such an indefinite responsibility, not only rendered landlords and farmers exceedingly cautious about admitting new settlers upon their estates and farms, but stimulated them to take vigorous measures for the diminution of the population, wherever the demand for labour was not pretty brisk and constant. It is to the operation of this principle that the complicated system of laws, with respect to settlements, owes its origin; and until this system was relaxed, it certainly opposed a formidable barrier to the increase of the agricultural population. By the act 13th and 14th, Cha. II., a legal settlement was declared to be gained by *birth*, or by *inhabitancy*, *apprenticeship*, or *service* for *forty* days; but within that period any two justices were authorized, upon complaint being made to them by the church-wardens or overseers, that they thought a new entrant likely to become chargeable, to remove him, unless he either occupied a tenement of the annual value of L.10, or gave sufficient security that he would indemnify the parish for whatever loss it might incur on his account. And by a subsequent act (3 William III. cap. i.) it was enacted that every new-comer should be obliged to give notice to the church-wardens of his arrival; that this notice should be read in church immediately after divine service, and that the commencement of the forty days during which his settlement might be objected to, should be reckoned only from the publication of such notice. By this means the inhabitants were all apprised of the arrival of every stranger; and unless there were a considerable demand for labour, or the entrant could produce the required security, he could not obtain a

settlement; and was, when most indulgently treated, allowed only to remain in the parish by sufferance, being liable to be removed the moment he either married or was likely to become chargeable.

A settlement might also be gained by being hired for a year when *unmarried* and *childless*, and continuing during the whole of that period to serve the same master, or by being bound an apprentice, for the statutory period, to a person who had obtained a settlement.

By the statute 8th and 9th William III. it was enacted that all parishes should be bound to receive such labourers as held *certificates* legally subscribed by the officers of the parish to which they belonged, acknowledging them to be *their* parishioners, and that they should not be authorized to remove them until they actually became chargeable. But it was always very difficult for such *certificated* persons to gain a settlement in the parishes into which they immigrated; and the parishes to which they belonged were not bound to grant them certificates, this being entirely a matter of grace and favour.

Dr Smith has severely censured these laws. 'The very unequal price of labour,' he observes, 'which we frequently find 'in England in places at no great distance from one another, 'is probably owing to the obstruction which the law of settlement gives to a poor man, who would carry his industry from 'one parish to another, without a certificate. A single man, 'indeed, who is healthy and industrious, may sometimes reside, 'by sufferance, without one; but a man, with a wife and family, who should attempt to do so, would, in most parishes, be 'sure of being removed; and if the single man should afterwards marry, he would generally be removed likewise. But 'to remove a man, who has committed no misdemeanour, from 'the parish where he chooses to reside, is an evident violation 'of natural liberty and justice.'—I. p. 232.

Whatever may be thought of the concluding sentence of this extract, there can be no doubt that Dr Smith's statements with respect to *the effect* of the laws of settlement, are well founded. Dr Burn, who is one of the very highest authorities as to all that respects the poor, has given the following graphical delineation of the peculiar business of a parish overseer. 'The 'office of an overseer of the poor, seems,' says he, 'to be understood to be this, to keep an extraordinary look-out to prevent persons coming to inhabit without certificates, and to fly 'to the justices to remove them; and if a man brings a certificate, then to caution the inhabitants not to let him a farm of 'L.10 a-year, and to take care to keep him out of all parish

'offices;* to warn them, if they will hire *servants*, to hire 'them by the month, the week, or the day, rather than by any 'way that can give them a settlement; or, if they do hire them 'for a year, then to endeavour to pick a quarrel with them be-'fore the year's end, and so to get rid of them: to maintain 'their poor as cheaply as they possibly can, and not to lay out 'twopence in prospect of any future good, but only to serve the 'present necessity; to bargain with some sturdy person to take 'them by the lump, who yet is not intended to take them, but 'to hang over them *in terrorem*, if they shall complain to the 'justices for want of maintenance: to send them out into the 'country a-begging; to bind out poor children apprentices, no 'matter to whom, or to what trade, but to take special care 'that the master live in another parish: to move heaven and 'earth if any dispute happen about a settlement; and, in that 'particular, to invert the general rule, and stick at no expense: '*to pull down cottages: to drive out as many inhabitants, and ad-*'*mit as few as they possibly can; that is, to depopulate the parish* '*in order to lessen the poor's rate*; to be generous indeed, some-'times, in giving a portion with the mother of a bastard child, 'to the reputed father, on condition that he will marry her, or 'with a poor widow, *always provided, that the husband be settled* '*elsewhere*; or if a poor man, with a large family, happen to 'be industrious, they will charitably assist him in taking a farm 'in some neighbouring parish, and give him L.10 to pay his 'first year's rent with, that they may thus for ever get rid of him 'and his progeny.'†

Now, we think it cannot possibly be doubted that the effect of such a system—of a system that united the landlords, farmers, and parish-officers in a league to oppose the multiplication of the poor, and, above all, to throw every possible obstacle in the way of their marrying, or obtaining cottages, must have had the most powerful influence in repressing the progress of population, and in rendering it not only much slower than it would have been had the system of compulsory provision been allowed to exert its full effect, but slower, we are inclined to think, than it would have been had the poor been left to provide for themselves, and no one had had any interest in checking their increase. There is, indeed, very great reason to doubt whether the purely agricultural population of England was not rather diminished than increased in the interval between the Revolution and 1770. And if we bear in mind that the law of

* The only means by which such a person could obtain a settlement.

† Burn's History of the Poor Laws, p. 211.

England has, by granting the elective franchise to all persons who are life-renters of a cottage and a slip of land, valued at 40s. a-year, given a very strong stimulus to the increase of cottages, we must be satisfied that some powerful principle has been at work, to render their multiplication so inconsiderable as it has been. Political influence is as dear to an English as to an Irish gentleman: But as the former would, had he manufactured voters by the hundred or the thousand, have made himself directly responsible for their maintenance, he has been deterred by a motive, which has had no influence in the case of the other, to abstain from so ruinous a practice. This, therefore, as it appears to us, is a case in which good has come out of evil. Most landlords early saw the consequences that would infallibly result from their being bound to provide an asylum for all, who, either through misfortune, misconduct, or profligacy, could not provide for themselves; and since they could not subvert the principle of the system, they exerted themselves to counteract it in practice, by adopting every possible device for checking the increase of population, and by administering relief in such a mode as might prevent any but the really indigent from having recourse to it. We shall subjoin one or two statements illustrative of the operation of the principles now mentioned.

Mr Hay, a member of the House of Commons, who exerted himself to effect a change in some parts of the Poor Laws in 1735, states, in a pamphlet published by him at the time, that *they had led to the depopulation of many parishes.** Mr Alcock, who published his Observations on the Effects of the Poor Laws—one of the best tracts that has ever appeared on the subject—in 1752, mentions, that 'this forced and expensive way of relieving the poor, has put many gentlemen and parishes upon contriving all possible methods of lessening their number, particularly by discouraging, and sometimes hindering poor persons from marrying, when they appear likely to become chargeable, and thereby preventing an increase of useful labourers: by discharging servants in their last quarter, and preventing them from gaining a settlement, whereby they become vagrants perhaps: by *pulling down cottages, and suffering no places of inhabitation for paupers, whereby estates are flung into a few hands, and several parishes are, in a manner, depopulated.* England complains of a want of useful hands for agriculture, manufactures, for the land and sea service; and for re-

* Sir F. M. Eden's State of the Poor, vol. i. p. 301.

'medying this, a bill for a general naturalization waslately in-
'troduced. But the proper way to encourage the inhabitants
'of a nation, is to encourage matrimony amongst the lower sort
'of people, and thereby stock the nation with natural-born sub-
'jects. This was the way of the ancient Romans. The French,
'we see, are taking this course; and the English Parliament
'had very lately a scheme before them to the same purpose.
'But no scheme, I believe, will ever succeed, as long as parishes
'are so apprehensive of paupers, and *take all manner of precau-*
'tions to prevent a multiplication of inhabitants. When the mi-
'nister marries a couple, he rightly prays that they may be
'fruitful in procreation of children, but most of the parishioners
'pray for the very contrary; and perhaps complain of him for
'marrying persons, that, should they have a family of children,
'might likely become chargeable.'—pp. 19, 20.

Perhaps, however, the authority of the late Arthur Young will be reckoned still more conclusive. He was a decided enemy to the system of compulsory maintenance, was intimately acquainted with the state of the labouring classes throughout the kingdom, and with the consequences resulting from the practical operation of the Poor Laws on the progress of population, which he has forcibly described as follows:—

'The law of *settlement*,' says Mr Young, 'is attended with
'nearly as many ill consequences as that of *maintenance*. I have
'said enough to prove of how great importance our labouring
'poor are to the public welfare; the strength of the state lies
'in their numbers; but the prodigious restrictions thrown on
'their settlements, *tend strongly to prevent an increase.* One great
'inducement to marriage, is the finding, without difficulty, a
'comfortable habitation; and another, nearly as material, when
'such requisite is found, to be able to exercise in it whatever
'business a man has been educated to, or brought up in. The
'first of these points is no easy matter to be accomplished; for
'it is too much the interest of a parish, both landlords and te-
'nants, to decrease the cottages in it; and above all, to prevent
'their increase, that, in process of time, habitations are ex-
'tremely difficult to be procured. There is no parish but had
'much rather that its young labourers would continue single:
'in that state they are not in danger of becoming chargeable;
'but when married the case alters; *all obstructions are, there-*
'fore, thrown in the way of their marrying; and none more im-
'mediately than that of rendering it as difficult as possible for
'the men, when married, to procure a house to live in; and
'*this conduct is found so conducive to easing the rates, that* IT UNI-
'VERSALLY GIVES RISE TO AN OPEN WAR AGAINST COTTAGES.—

'How often do gentlemen, who have possessions in a parish, 'when cottages come to sale, purchase them, and immediately 'rase them to the foundation, that they may never become 'the *nests*, as they are called, of *beggars' brats!* by which means 'their tenants are not so burdened in their rates, and their farms 'let better; for the rates are considered as much by tenants 'as the rent. In this manner cottages are the perpetual ob-'jects of jealousy; the young inhabitants are prevented from 'marrying, and population is obstructed.'*

And, not unnecessarily to multiply quotations, we shall only farther observe, that in a debate in the House of Commons, April 28, 1773, on the bill to prevent vexatious removals of the poor, Mr Graves, in moving for leave to bring in the bill, is reported to have said, 'How inconsistent is it with reason that 'young, hale, vigorous men, whether labourers in agriculture 'or manufacturers, who are well able to maintain themselves— 'nay, more than able to do it—should, on their offering to 'marry, have notice from the parish-officers that they shall re-'move them, as likely to become chargeable? *Is not this of all 'other means the most effectual to prevent and check population?* 'And did ever any nation under heaven grow great by check-'ing population? Suppose, sir, the couple, in spite of this in-'famous notice, should persevere in their intention and marry; 'they are removed. Gentlemen may say, what harm in that? 'Why not live in one parish as well as another? I will tell such 'gentlemen wherein is the mischief; the removal carries them 'from a place where they can earn 15s. a-week by manufac-'tures, to another where they can get but 10s. by agriculture.' And Mr Whitworth said, on the same occasion, 'Sir, I have 'known to the amount of 30 or 40 families sent off by removal 'orders in one day—a scene highly scandalous, and urging in 'the strongest manner the necessity of the bill.'

It is thus established by evidence which it seems impossible to controvert, how much soever the conclusion may be at variance with the opinions that have recently been current on the subject, that from their institution down to a late period, the effect of the Poor Laws was not to increase but to diminish population. The act of the 43d of Elizabeth, by devolving the protection of the poor on the landlords and occupiers of land, compelled the latter to take all possible precautions to prevent the too rapid increase of the former. A premium was given to those who lived in a state of celibacy; early and improvident

* Farmer's Letters to the People of England, published in 1770, 3d edit. vol. i. pp. 300-302.

marriages were discouraged by what could not fail to be considered very severe penalties; and the poor were compelled to exercise that degree of prudence and consideration in their conduct, that we should in vain have expected from their regard to their own interests.

But it is said, that the system by which these results were produced, the law of settlement, and the authority given to the overseers to refuse all relief to those who did not choose to accept it in workhouses, was a gross violation of a man's natural liberty, and oppressive in the extreme. We take leave, however, to deny that such was really the case. It is idle to talk about a violation of natural liberty; for that has long ceased to exist. Society, in fact, originates in its annihilation, or, at least, in the restraints imposed upon it; and the real and only question, with respect to any given restraint that either has been or may be imposed, is, whether it is advantageous or not. If it be for the public benefit, it ought certainly to be enforced, and if otherwise, it ought as certainly to be repealed. If we refer to any other standard than this, it is impossible we should ever arrive, except by the merest accident, at any sound conclusion, in any department of political science. Keeping then this principle steadily in view, let it also be remembered that it is now universally admitted that the tendency of population, when left to itself, is to increase beyond the means of subsistence; and, by consequence, to plunge the lower classes, who must always form the great majority in every country, into want and wretchedness. But, when such is the case, is it not, plainly, the duty of a wise government to adopt measures for the prevention of so great an evil? All civilized countries are in the habit of resorting to the most effective measures to prevent the spread of epidemics and infectious diseases: But of all the plagues that can afflict a country, the plague of universal poverty is by far the most to be dreaded; and the same principles that warrant us in interfering to guard against the lesser, will surely warrant us in endeavouring to avert the greater evil.

Now, admitting that this principle is well-founded, it is not very easy to see how it could have been brought into operation in a more beneficial manner, than by the system of Poor Laws as they existed previously to 1795. These laws rendered it the direct and obvious interest of the landlords, farmers, and all other persons possessed of fixed property, to oppose themselves to what is by far the most efficient cause of poverty—a too great increase of population. That particular cases of great hardship may have occurred under the operation of this system, we do not presume to deny. But such cases must of necessity occur

under the operation of any system that has the same object in view, and is sufficient for its accomplishment. In this case, however, we do not think that there are any good grounds for thinking that such instances were either of frequent or general occurrence. It could not be the interest of the landlords or occupiers to contract the population too much; for, had they done so, wages must have risen proportionally: And it has been justly remarked, that the power conferred by the old law of settlement of removing labourers, had an excellent effect; inasmuch as the labourers who lived in a parish on sufferance, 'found it necessary to recommend themselves by their good 'behaviour, and they were generally models of industry and 'correctness. They had, too, the most powerful of motives for 'exerting themselves to acquire a sufficiency of property to se-'cure their residence in the parish of their adoption.'*

It may perhaps be said, that, had the Poor Laws never existed, had the poor not been tempted to place a deceitful trust in parish assistance, their natural sagacity would have led them to act with prudence and consideration, and not to multiply their numbers beyond the demand for them. That this might have been, in some measure, the case, we are not disposed to deny; but considering the state of depression in which the poor have always been involved, and their total ignorance of the real and efficient causes of poverty, there are, we are afraid, very slender grounds for thinking that this influence would have been very sensibly felt. A man must be in tolerably comfortable circumstances before he is at all likely to be much influenced by prospective considerations. Those who have speculated with respect to the operation of the Poor Laws on the prudential virtues, have usually belonged to the upper classes, and have supposed the lower classes to be actuated by the same motives as those with whom they associate. But the circumstances under which these classes are placed, are so very different, as to render it exceedingly difficult to draw any accurate conclusion as to the conduct of the one, in respect of such matters, from observations made upon the conduct of the other. A man who is comfortable in his circumstances, must, in order not to lose *caste*, and to secure a continuance of the advantages which he enjoys, exercise a certain degree of

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* See an excellent article on this subject in the Morning Chronicle of the 28th of December, 1827. See also an able article on the same subject, in the same Journal, 23d November, 1827.

prudence. But those who possess few comforts, who are near the verge of human society, and have but little to lose, do not act under any such serious responsibility. A want of caution, and a recklessness of consequences, are in their case productive of comparatively little injury, and in consequence they are less guarded against. The widest and most comprehensive experience proves that this is the case. The lower we descend in the scale of society, the less consideration and forethought do we find to prevail. When we either compare the different classes of the same country, or of different countries, we invariably find, that poverty is never so little dreaded, as by those who are most likely to become its victims. The nearer they approach to it, the less is it feared by them. And that generally numerous class, who are already so low that they can fall no lower, eagerly plunge into every excess; and seek only immediate gratifications, without either thinking or caring about the consequences.

On the whole, therefore, we confess that we see but little reason for thinking that the fear of being left destitute in old age, had the Poor Laws not existed, would have operated so powerfully in the way of deterring those who were already poor and uninstructed, as the labouring classes throughout England have generally been, from entering into improvident unions, as the formidable restraints that grew out of the Poor Laws. 'A la-'bouring man in his youth,' it has been justly observed, 'is not 'disposed to look forward to the decline of life, but listens 'to the impulses of passion. He sees the picture through the 'deceitful mirror which his inclinations hold up to him. Those 'restraints which persons of property, interested in keeping 'down poor-rates, will infallibly oppose, are much more likely 'to be efficacious, than those which he will impose on himself. 'Till lately, no pauper could marry, and *no pauper ought to be* '*allowed to marry*. If there was no opening for a married man 'in his own parish, and if the attempt to marry in another led 'to his removal as a pauper, the labourer found himself govern-'ed by circumstances to which his inclinations were forced to 'yield.'*

We have already seen that the average annual amount of the sums expended for the relief of the poor of England and Wales, during the three years ending with 1750, amounted to L.689,971. The rapid increase of population in the towns and villages sub-

* Morning Chronicle, 28th December.

sequently to the peace of Paris, in 1763, arising out of the extraordinary extension of manufactures and commerce, occasioned a considerable relaxation in the system previously adopted of providing for the poor at workhouses. Still, however, the progress of the rates was by no means rapid. During the years 1783, 1784, and 1785, being those immediately subsequent to the termination of the American war, most sorts of businesses were very much depressed; the crops were also deficient, and the prices of corn, and the quantities imported, rose to an unusual height. But notwithstanding these adverse circumstances, the rates, on an average of these three years, amounted to only L.2,167,748, of which L.1,912,241 were expended on the poor, being about a million more than had been expended upon them at the commencement of the century; an increase which, considering that the population of England and Wales is supposed to have been augmented, in the interval between 1700 and 1780, from 5,475,000 to 7,953,000, and considering also the peculiar circumstances of the country at the latter period, must certainly be reckoned very inconsiderable; and can only be accounted for by the powerful operation of the causes already alluded to, in retarding the progress of population.

We have no subsequent account of the amount of the poor's-rate, previously to the year 1803; but inasmuch as the period from 1785 to the commencement of the late French war in 1793, was one of uninterrupted agricultural and commercial prosperity, it may safely be concluded that the rates were considerably lower in 1793 than in 1785. How much this reduction might amount to, it is impossible accurately to conjecture, but, at the commencement of the late war, they could hardly, one should think, exceed L.1,400,000, or L.1,500,000 a-year.

Unfortunately, however, an entire revolution was now effected in the mode of administering the Poor Laws—a revolution which not only removed almost all the barriers by which the progress of pauperism had previously been opposed, but which has multiplied its victims, even in spite of themselves. The old system had been somewhat relaxed in 1782, by Mr Gilbert's act, which, by incorporating parishes together, prevented the landlords and tenants from feeling that intense interest in the restriction of population and pauperism, that they could not help feeling when they were brought within their immediate observation, and exhibited themselves within the sphere of their immediate influence. But it was not until 1795 that the flood-gates of pauperism were set open, and the encouragement of improvidence made a national concern. The price of corn, which had, upon an average of the three preceding

years, averaged 54s., rose, in 1795, to 74s. As wages continued stationary at their former elevation, the distress of the poor was very great, and many able-bodied labourers, who had rarely before applied for parish assistance, became claimants for relief. But, instead of meeting this emergency, as it ought to have been met, by temporary expedients, and by grants of relief proportioned to the exigency of every given case, one uniform system was adopted. The magistrates of Berks, and some other southern counties, issued tables, showing the wages which, as they affirmed, every labouring man *ought* to receive, according to the variations in the number of his family, and the price of bread; and *they accompanied these tables with an order, directing the parish officers to make up the deficit to the labourer, in the event of the wages paid him by his employers falling short of the tabular allowance.* An act was at the same time passed, to allow the justices to administer relief *out* of the workhouse, and also to relieve such poor persons as had property of their own! As might have been expected, this system did not cease with the temporary circumstances which gave it birth; but has ever since been acted upon. It is now almost universally established in the southern half of England; and has been productive of an extent of mischief that could hardly have been conceived possible.

We need not dwell on the folly and absurdity of attempting to make the wages of labour vary directly and immediately with every change in the price of bread. Every one must see, that if this system were *bona fide* acted upon—if the poor were always supplied with the power of purchasing an equal quantity of corn, whether corn happened to be abundant and cheap, or scarce and dear, they could have no motive to lessen their consumption in seasons when the supply is deficient, so that the whole pressure of the scarcity would, in such cases, be removed from them, and thrown entirely upon the other, and chiefly the middle classes. But not to insist on this point, let us look at the practical operation of this system as it affects the labourer and his employers. The allowance scales now issued from time to time by the magistrates, are usually framed on the principle, that every labourer should have a gallon loaf of standard wheaten bread weekly, for every member of his family, and one over, that is, four loaves for three persons, five for four, six for five, and so on. Suppose now that the gallon loaf costs 1s. 6d., and that the average rate of wages in any particular district is 8s. a-week: A, an industrious unmarried labourer, will get 8s.; But B has a wife and four children, hence he claims *seven* gallon loaves, or 10s. 6d. a-week; and as

wages are only 8s., he gets 2s. 6d. a-week from the parish: C, again, has a wife and six children; he consequently requires *nine* gallon loaves, or 13s. 6d. a-week, and gets, of course, a pension over and above his wages, of 5s. 6d.: D is so idle and disorderly that no one will employ him; but he has a wife and five children, and is in consequence entitled to *eight* gallon loaves for their support; so that he must have a pension of 12s. a-week, to support him in his dissolute mode of life!

It is clear that this system, by making the parish allowance to labourers increase with every increase in the number of their children, must act as a bounty on marriage; and that, by increasing the supply of labourers beyond the demand, it must necessarily depress the rate of wages: And it is farther clear, that by giving the *same* allowance to the idle and disorderly, as to the industrious and well-behaved workman, it must operate as a premium on idleness and profligacy, and take away all the most powerful motives to industry and good conduct. These, however, are not the only effects of this system. Under its operation a labourer dares not venture to earn beyond a certain amount; for if he did, his allowance from the parish would either be withheld altogether, or proportionally reduced. In consequence, working by the piece is now nearly unknown in the southern counties of England; and the whole labouring population are reduced to the condition of paupers, deprived of the means, and almost of the desire, to emerge from the state of helotism in which they are sunk.

The following extracts from the Report of the Committee of the House of Commons on labourers' wages, printed in 1824, will show that we have not exaggerated the evils of the allowance system.

'A labourer,' say the Committee, 'being quite certain of 'obtaining an allowance from the parish sufficient to support his 'family, it consequently becomes a matter of indifference to him 'whether he earn a small sum or a large one. It is obvious, 'indeed, that a disinclination to work must be the consequence 'of so vicious a system. He whose subsistence is secure without 'work, and who cannot obtain more than a mere sufficiency by 'the hardest work, will naturally be an idle and careless labourer. '*Frequently the work done by four or five such labourers, does not* '*amount to what might easily be performed by a single labourer* '*working at task-work.*

'A surplus population is encouraged; men who receive but a 'small pittance *know that they have only to marry, and that pit-* '*tance will be increased proportionally to the number of their child-* '*ren.* Hence the supply of labour is by no means regulated by the

'demand; and parishes are burdened with thirty, forty, and fifty 'labourers, for whom they can find no employment, and who 'serve to depress the situation of all their fellow-labourers in the 'same parish. An intelligent witness, who is much in the ha- 'bit of employing labourers, states, that when complaining of 'their allowance they frequently say to him, *We will marry,* '*and then you must maintain us.*

'This system secures subsistence to all; to the idle as well as 'to the industrious; to the profligate as well as the sober; and '*as far as human interests are concerned, all inducements to obtain* '*a good character are taken away.* The effects have correspond- 'ed with the cause—able-bodied men are found slovenly at their 'work, and dissolute in their hours of relaxation; a father is ne- 'gligent of his children; the children do not think it necessary 'to contribute to the support of their parents; the employers 'and the employed are engaged in perpetual quarrels, and the 'pauper, always relieved, is always discontented; crime ad- 'vances with increasing boldness, and the parts of the country 'where this system prevails are, in spite of our gaols and our 'laws, filled with poachers and thieves.' pp. 3, 4.

The wages of labour in the southern counties, where this system is in full operation, are not only extremely different in different parishes, but are universally very much below their level in the northern counties, to which fortunately this pestilence has not yet extended. Thus it is stated in the Report to which we have now referred, that in many parishes of Kent, Suffolk, Bedford, Essex, Norfolk, &c., wages were, in 1824, as low as 6d. a-day, or 3s. a-week; that in others they amounted to 4s. and 5s.; in others again to 6s.; and in some they rose as high as 9s., which was the maximum; while in Northumberland, Cumberland, Lancashire, and other northern counties still free from this contamination, wages fluctuated from 12s. to 15s. a-week.

In his evidence before the Emigration Committee, Mr Hodges, Chairman of the West Kent Quarter Sessions, says, 'Formerly 'working people usually staid in service till they were twenty- 'five, thirty, or thirty-five years of age before they married; 'whereas they now marry frequently under age. Formerly these 'persons had saved L.40 or L.50 before they married, and they 'were never burdensome to the parish.' And in another place he says, 'that now, they have not saved a shilling before their 'marriage, and become immediately burdensome.'*

There is one circumstance connected with the allowance

* Report, p. 184.

system, which has rendered the farmers less anxious to get rid of it than might at first be supposed. Had the burden of the rates fallen *wholly* on them, whatever they might have gained by a reduction of wages below the tabular allowance, would have been lost by a corresponding rise of the rates: but although there can be no doubt that, owing to the stimulus it has given to population, and the premium it holds out to idleness, the sum that is *now* paid by the farmers in rates and wages taken together, is very decidedly greater than they would have had to pay for labour, had the allowance system never been in operation, it has, notwithstanding, led many of them to suppose that it was advantageous to them, by obliging others to pay a part of the wages of their labourers. By combining together, as they almost uniformly do, the farmers in agricultural parishes can reduce the rate of wages to any limit they please. They are enabled to do this, because the parish, by granting such a supplementary allowance to the labourer as will support him and his family, prevents him from emigrating to another district, as he would most certainly do, were his employers to attempt artificially to depress his wages in a country unfettered by this system. And as the supplementary allowance paid the labourers by the parish is derived from a tax laid indiscriminately on all fixed property, its effect is to force the occupiers of villas, as well as shopkeepers, tradesmen, &c., or those who do not employ labourers, to pay a portion of the wages of those who do; and thus to place every farmer who might be disposed to act on a more liberal system, in a relatively disadvantageous situation! The farmers are, in this way, led to encourage a system which fraudulently imposes a heavy burden upon others; and which, by degrading the labourers, and multiplying their numbers beyond the real demand for them, must, if allowed to run its full course, ultimately overspread the whole country with the most abject poverty and wretchedness.

The vast importance of this subject will, we are sure, be deemed a sufficient excuse for our laying the following Memorial of the Magistrates of Suffolk, to the Committee of the House of Commons on the Poor Laws in 1817, before our readers. Its authority cannot be questioned; and it sets the mischiefs arising from the fraudulent operation of the allowance system in the most striking point of view.

'We are perfectly aware, that in an institution embracing such a variety of objects as the rate for the relief of the Poor, the sudden and enormous increase of this assessment is not to be ascribed to any *single* cause, but to the co-operation of *many*, concurring to produce a joint effect: nor would we be understood to affirm, that what we are about to

suggest is the most general, or even the principal cause of its rapid and astonishing augmentation; but we trust it will appear to the Committee, that it is *one* amongst many others; that it has actually added very materially to the burden of the assessment; and that it is indefensible in every point of view, as being at once unjust, impolitic, and cruel.

'The circumstance to which we allude is a practice which has prevailed, if not generally, certainly in a considerable part of this county, of giving reduced and insufficient wages to labourers in husbandry, and sending them to the Poor Rate for the remainder of the sum necessary for their support. Thus, the labourer, whose family requires eighteen shillings a-week for their maintenance, receives perhaps nine shillings (in some parishes not more than six) from his employer, and the remaining nine from the overseers. It will be evident to the Committee, that a practice like this must necessarily raise the Rate far beyond its usual amount; that it is thus made subsidiary to wages; and that it becomes an assessment, not so much for the relief of the poor as of their employers; a great proportion of whose agricultural labour is paid for by the public, though the immediate benefit is exclusively their own.

'The Committee will not fail to observe, that the evil does not stop here, but accumulates and gathers strength in its progress. If the farmer can reduce his wages to eighteenpence or a shilling a-day, he can, by the same authority, reduce them to sixpence, threepence, or to a penny, and throw his labourer upon the parish for the rest; and if this discretionary power is permitted to the farmer, we do not see how it can be withheld from the carpenter, the bricklayer, the blacksmith, or, in short, from any person exercising a trade and employing the labour of others. By which means the wages of the whole of the labouring Poor will be thrown upon the Rates, and this most useful and industrious class of the community will become at once eleemosynary and dependent.

'We beg to remind the Committee, that if we do not follow up our conclusion to the manufacturing Poor, it is because Suffolk is principally an agricultural county, and because we wish to confine our suggestions to what falls immediately within our own cognizance. And we also beg to state our conviction, that the situation of the farmers is not such as disables them from paying for their labour at a fair and reasonable rate of wages. If, indeed, the Poor Rates were levied *solely upon those who employed labourers*, the evil, though great, would be less oppressive. But when it is recollected that the small occupier, who cultivates his little farm by his own labour and that of his family; that the tradesman, the mechanic, and (where cottages are rated, or where a little land is attached to them) *even the labourer* is compelled to pay to this assessment, the hardship and partiality of this practice is most evident and striking.

'In large villages and country towns, where a considerable proportion of the inhabitants are subject to the payment of the Poor Rate, although not occupiers of land, the injustice of this system is also very apparent. The professional man, the annuitant, the shopkeeper, the artisan, all are taxed for the payment of labour, from which they derive no immediate benefit, and in the profits of which they have no participation.

'We forbear to enlarge farther upon the subject, as we trust enough

has already been said to satisfy the Committee, that such an appropriation of what ought to be the *Poor's Rate* is *unjust*.

'It is also *impolitic*;—For it tends to debase the industrious labourer to the class of the pauper; it habituates him to the reception of parish relief; it teaches him to look to the Rate for his usual maintenance, instead of applying to it reluctantly in sickness or old age; and it saps the vital principle of industry, and obliterates the little remaining honest pride of independence.

'It is *cruel*;—Because the burden of the wages of labour, the immediate profit of which is to others, is thus thrown upon that part of the community which is already borne down by the weight of public taxes, and of the necessary parochial assessments.

'We beg to submit to the Committee, that for the evil thus detailed, the existing laws, in our apprehension, furnish no relief. If the labourer, whose earnings are insufficient for his support, applies to a magistrate, the magistrate, *having no power to fix the rate of wages*, MUST, however reluctantly, ORDER relief from the Poor Rate; and, *as this order is final and conclusive*, the several classes before mentioned as aggrieved by this unequal assessment, are *precluded from the benefit of appeal against the overseer's account*, and left without remedy against this glaring act of injustice and oppression.

'Such being our view of the subject, we hope we may be allowed to call the attention of the Committee to the necessity of putting a stop to this pernicious practice of *mixing the wages of labour with the relief of the Poor*; and, intreating their indulgence for the freedom of these suggestions, we leave the matter in their hands, in the full confidence that they will adopt such regulations as in their wisdom they shall think advisable and expedient.' (Subscribed by fifteen Magistrates.)

We subjoin a parliamentary paper, containing an account of the sums assessed and levied under the name of Poor Rates, at the several periods for which returns have been required by Parliament; of the sums annually expended for the support of the poor; of the sums expended in Law, Removals, &c.; and of the prices of wheat in England and Wales, in the undermentioned years.

Years.	Total Sum Assessed and Levied.	Payments thereout for other Purposes than the Relief of the Poor.	Sums Expended in Law, Removals, &c.	Sums Expended for the Relief of the Poor.	Sums Expended.	Average Price of Wheat.
	£.	£.	£.	£	£	s. d.
Average of 1748–49–50	730,135	40,164	* ...	689,971	† ...	...
1776	1,720,316	137,655	35,071	1,521,732	1,694,458	...
Average of 1783–4–5	2,167,748	163,511	91,996	1,912,241	2,167,148	...
1803	5,348,204	1,034,105	190,072	4,077,891	5,302,070	63 2
1812–13	8,640,842	1,861,073	325,107	6,656,105	8,865,838	128 8
1813–14	8,388,974	1,891,565	332,966	6,294,584	8,511,863	98 0
1814–15	7,457,676	1,763,020	324,664	5,418,845	7,508,853	70 6
1815–16	6,937,425	1,212,918	* ...	5,724,506	† ...	61 10
1816–17	8,128,418	1,210,200	...	6,918,217	† ...	87 4
1817–18	9,320,440	1,430,292	...	7,890,148	...	90 7
1818–19	8,932,185	1,300,534	...	7,531,650	...	82 9
1819–20	8,719,655	1,342,658	...	7,329,594	8,672,252	69 5
‡ 1820–21	8,411,893	1,375,868	...	6,958,445	8,334,313	62 5
1821–22	7,761,441	1,336,533	...	6,358,703	7,695,235	53 0
1822–23	6,898,153	1,148,230	...	5,772,958	6,921,187	41 11
1823–24	6,833,630	1,137,405	...	5,734,216	6,871,621	56 8
1824–25	...	...	...	5,786,991	...	62 9
1825–26	6,965,051	1,246,145	...	5,928,501	7,174,647	56 11

It may seem, at first sight, from this table, that the rates have been diminished: But if we take the fluctuations in the price of wheat into account, it will be seen, that though a smaller amount of money is now laid out on the poor than was laid out on them in 1817, they are still getting quite as large a share of the produce of the land and labour of the country, as they did then.

It must be obvious to every one, that if we would avert the plague of universal poverty from the land, a vigorous effort must be made to counteract this system. It is said that the most effectual method for the accomplishment of this desirable object would be, to enact that no able-bodied labourer should in future be entitled to parish relief. It may be doubted, however, whether such a plan could, in the existing circumstances of the country, be carried into effect; and there can be no doubt that the evil may be checked by less violent means. All, in fact, that is in-

* For this, and the years so marked, there is no particular account of the Sums expended in Law, or in Removals.

† For these periods there is no account of the Sums expended, as distinguished from those assessed and levied.

‡ For this and the subsequent years, the Orders required Returns, not of the Sums assessed and levied, but of the Sum levied.

dispensable is, to revert to the system established previously to 1795; to abolish every vestige of the allowance system; and to enact that no able-bodied labourer shall henceforth be entitled to relief, unless he choose to accept it in workhouses conducted in the mode already explained. Such a system would shut the flood-gates of pauperism; and would tend to improve the habits of the poor, to lessen their numbers, and to raise them in the scale of society.

But there are several other highly important measures that ought to be adopted, in order the more effectually to arrest the progress of pauperism. There was nothing, as we have already seen, that formerly contributed so much to prevent the too rapid increase of population, as the efforts made by the landlords and farmers to prevent the erection of cottages. But since 1795 a very great change has taken place in this respect. In the counties of Suffolk, Sussex, Kent, and generally, indeed, through all the south of England, the parish officers are in the custom of undertaking to pay the rent of the cottages occupied by the poor, and in consequence persons who possess small pieces of ground are tempted to cover them with cottages, the sum which they have to pay to the rates being a mere trifle, compared with the profits which they make from letting the cottages on advantageous terms to the parish. Mr Hodges, chairman of the West Kent Quarter Sessions, Mr Curteis, member for Sussex, Mr Burrel, member for Suffolk, Mr Cosway, &c.—gentlemen who have had the best possible opportunities for forming a correct opinion on this point, stated in their evidence before the Emigration Committee, that there had been a very great increase of cottages of late years, and that this increase had contributed, in no ordinary degree, to increase the number of the poor. Mr Hodges gave it as his clear opinion that unless a stop were put to the increase of cottages, all other regulations with respect to the poor would be absolutely nugatory. 'I cannot forbear,' said this very intelligent gentleman, 'urging again, that any measure having for 'its object the relief of parishes from their over-population, *must* '*of necessity become perfectly useless, unless the act of Parliament* '*contain some regulations with respect to the erecting and maintain-*'*ing of cottages. I am quite satisfied that the erecting of cottages* '*has been a most serious evil throughout the country. The getting* '*of a cottage tempts young people of seventeen and eighteen years* '*of age, and even younger, to marry. It is notorious that almost* '*numberless cottages have been built by persons speculating on the* '*parish rates for their rents.*'*

* First Report, Appendix, pp. 136, 185.

Can any one doubt for a moment that the legislature is bound to put an end to this practice? The parish officers should be interdicted from contributing anything whatever to the payment of the rent of a cottage occupied by an able-bodied labourer. But this, of itself, would not be enough. We concur entirely in opinion with Mr Hodges, Mr Curteis, and Mr Coeway, that the trade of building 'beggars' nests' is not one that deserves to be encouraged; and we also agree with them in thinking, that in order to check it, cottages ought either to be universally subjected to a pretty heavy tax, to be, in all cases, levied from the proprietor and made payable to government, or that parishes should be authorized to impose such an assessment as they think proper on the proprietors of cottages, in aid of the rates. It is not to be endured that the owner of a few acres should be permitted to enrich himself by founding a colony of beggars, which must be maintained at the expense of the landlords and occupiers of the parish. Such an abuse calls for immediate and effectual redress.

It is also deserving of consideration, whether the power now possessed by the magistrates, of revising the proceedings of parishes, and of the overseers appointed by them, and ordering the poor relief in cases in which it is refused by the latter, ought to be continued. And it seems also highly expedient that the existing law of bastardy should be reviewed; and that the premium that is now given to those who commit a *faux pas* should be considerably diminished.

But, supposing all the measures we have now proposed were adopted, still they would not be enough to arrest the torrent of pauperism. The poor of England have suffered much and deeply from the change made in the administration of the Poor Laws in 1795; but of late years they have suffered still more from the influx of Irish paupers. Great Britain has been overrun by half-famished hordes, that have, by their competition, lessened the wages of labour, and, by their example, degraded the habits and lowered the opinions of the people with respect to subsistence. But great as the mischief is that has already been occasioned by this barbarian immigration, it is trifling indeed to what we may confidently predict will be produced by it, if no efforts be made to put a stop to it. The facilities of conveyance afforded by steam navigation, are such, that the merest beggar, provided he can command a sixpence, may get himself carried from Ireland to England. And when such is the fact—when what may, almost without a metaphor, be termed floating-bridges, have been established between Belfast and Glasgow, and Dublin and Liverpool—does any one suppose, that if no artificial obstacles be thrown in the way of immi-

gration, or if no efforts be made to provide an outlet in some other quarter for the pauper population of Ireland, we shall escape being overrun by it? It is not conceivable, that with the existing means of intercourse, wages should continue to be, at an average, 20d. a-day in England, and only 4d. or 5d. in Ireland. So long as the Irish paupers find that they can improve their condition by coming to England, thither they will come. At this very moment, *five* or *six* millions of beggars are all of them turning their eyes, and many of them directing their steps, to this land of promise! The locusts that 'will eat up every blade 'of grass, and every green thing,' are already on the wing. The danger is great and imminent; and can only be averted by the prompt adoption of the most decisive measures.

It is the bounden duty of government to organize measures calculated to raise the people of Ireland from the abyss of poverty and destitution into which they have sunk. But these measures, how judiciously soever they may be devised, must necessarily be slow in their operation. No very immediate change, either in the habits or circumstances of the Irish people, can be expected to result from them. Years must elapse before their influence can be very sensibly felt. It is idle, therefore, to trust to them for protection from a pressing and immediate calamity. We must resort to a less circuitous system. Seeing that we cannot raise the people of Ireland to the same level as those of Britain, we are bound to take effectual precautions to prevent them from bringing the latter down to their own. The *salus populi* imperiously requires that an end should be put to the farther influx of Irish paupers. It is in vain to palter with so great an evil. The present state of things is destructive of the happiness and comfort of the people of Britain, without being of the least advantage to Ireland. A law should, therefore, be enacted, to prevent any individual coming from Ireland to Britain, without a passport; and the custom-house officers ought to be instructed to refuse passports to all who cannot establish, by satisfactory evidence, that they belong to some other class than that of labourers, or that they have some other object in view in visiting Britain, than that of employing themselves as labourers. The same thing might, perhaps, be more easily effected by imposing a pretty heavy tax on all passengers; and making the owners of the vessel responsible for its payment. But, however the object may be attained, we hold that it is indispensable that a stop should be put to the farther immigration of paupers. When the people of Ireland have been raised to something like the same level as those of England, the freest intercourse may be allowed between the two countries. Till then, however, we must stand

on the defensive. Justice to ourselves requires that we should erect a bulwark capable of throwing back the tide of poverty that is now setting so strongly against us.

At present we have neither time nor space to enter upon any discussion of the means that ought to be adopted for improving the condition of Ireland. But the more we consider the subject, the more firmly are we convinced of the propriety of encouraging emigration, on a very large scale, to our Transatlantic possessions; and of defraying the cost of that emigration, partly by a tax on the rent of land, and partly and chiefly by a heavy tax on cottages, to be in every instance paid by the proprietor. The thanks of the country are justly due to Mr Wilmot Horton, for the great zeal, talent, and perseverance which he has displayed in bringing the question of emigration fully and fairly before the public. We hope he will not be disconcerted by the little interest the subject seems to have excited in the House of Commons. He may be assured that it will, at no distant period, force itself upon the consideration even of the most callous and indifferent. The clamour that has of late been raised against the proceedings of the landlords of Ireland, under the subletting act, appears to us to be utterly without foundation. The circumstances of the country are unfortunately such as to prevent the provisions of that wise and excellent statute from being rapidly carried into effect. It is, in most cases, impossible to act upon it; and we are much afraid that many landlords will not think it for their advantage to enforce it, even though they had the power. For this reason Government ought to interfere, by assisting and stimulating the landlords to remove the surplus population that is at present hutted upon their estates; and when this is done, such measures ought to be adopted as will render it for the *interest* of the landlords to exert themselves to the utmost to prevent the recurrence of the evil. If Government do not interfere, there is but too much reason to fear that the subletting act will become a mere dead letter. And if so, there will no longer be any means of setting bounds to that endless division and sub-division of the land, which has been, and is, the curse of Ireland. The numbers and the misery of the population will go on increasing, until the whole country, from the Giant's Causeway to Cape Clear, be overspread with potatoe beds, and hordes of half-naked and half-starved savages.

We subjoin the following table from the Appendix to the Report of the Select Committee of the House of Commons of 1818, on the Poor Laws. The number of paupers, and their classification, are most probably about the same at the present moment.

ACCOUNT of MONEY raised by Poor's Rates, &c. within the Years 1813, 1814, *and* 1815; *Manner in which that Money has been Expended; Numbers and Classes of Paupers relieved, &c.*

	YEARS ENDING		
	Easter, 1813.	Easter, 1814.	25 March, 1815.
Money raised by poor's rates, and any other rate or rates	£. s. d. 8,651,438 5 10½	£. s. d. 8,392,728 7 5	£. s. d. 7,460,855 8 2
Average rate in the £, according to which the rates were raised in the several years	s. d. 3 4	s. d. 3 3	s. d. 2 10½
Money expended for the maintenance and relief of the poor	£. s. d. 6,679,657 15 5½	£. s. d. 6,297,331 7 7½	£. s. d. 5,421,168 9 3½
Money expended in suits of law, removal of paupers, and expenses of overseers or other officers	325,107 1 1½	332,966 0 11½	324,664 16 4½
Money expended on militia charges, viz. maintenance of the wives and children of militiamen	157,092 18 10½	145,405 19 8	91,168 3 10
All other militia charges	89,109 2 0½	43,169 13 7	14,225 7 0½
Money expended for all other purposes, (except those expressed in the two last columns,) church rate, county rate, highway rate, &c. &c.	1,614,871 5 6	1,692,989 19 11½	1,657,626 18 2
Total amount of money expended	8,865,833 8 0	8,511,863 1 9	7,508,853 14 8½
Number of persons relieved from the poor's rate permanently, (but not including any children whose parents have been permanently relieved out of the house,)	Number.	Number.	Number.
Out of any workhouse	434,441	430,140	406,887
In any workhouse	97,223	94,085	88,115
Number of parishioners relieved occasionally	440,249	429,770	400,971
Total of paupers relieved	971,913	953,995	895,973
Number of members in friendly societies	821,319	838,728	925,439

Average Annual Amount of Charitable Donations, (whether arising from Land or Money,) which are managed or distributed by the Minister, Churchwardens, or Overseers, or any of them:

For Parish Schools	£ 71,901 3 9½
For other Purposes	166,409 2 11½
Total,	£238,310 6 9

ART. III.—*The Romance of History. England.* By HENRY NEELE. London, 1828.

To write History respectably—that is, to abbreviate dispatches, and make extracts from speeches, to intersperse in due proportion epithets of praise and abhorrence, to draw up antithetical characters of great men, setting forth how many contradictory virtues and vices they united, and abounding in *withs* and *withouts;* all this is very easy. But to be a really great historian is perhaps the rarest of intellectual distinctions. Many Scientific works are, in their kind, absolutely perfect. There are Poems which we should be inclined to designate as faultless, or as disfigured only by blemishes which pass unnoticed in the general blaze of excellence. There are Speeches, some speeches of Demosthenes particularly, in which it would be impossible to alter a word without altering it for the worse. But we are acquainted with no History which approaches to our notion of what a history ought to be—with no history which does not widely depart, either on the right hand or on the left, from the exact line.

The cause may easily be assigned. This province of literature is a debateable land. It lies on the confines of two distinct territories. It is under the jurisdiction of two hostile powers; and, like other districts similarly situated, it is ill-defined, ill cultivated, and ill regulated. Instead of being equally shared between its two rulers, the Reason and the Imagination, it falls alternately under the sole and absolute dominion of each. It is sometimes fiction. It is sometimes theory.

History, it has been said, is philosophy teaching by examples. Unhappily what the philosophy gains in soundness and depth, the examples generally lose in vividness. A perfect historian must possess an imagination sufficiently powerful to make his narrative affecting and picturesque. Yet he must control it so absolutely as to content himself with the materials which he finds, and to refrain from supplying deficiencies by additions of his own. He must be a profound and ingenious reasoner. Yet he must possess sufficient self-command to abstain from casting his facts in the mould of his hypothesis. Those who can justly estimate these almost insuperable difficulties will not think it strange that every writer should have failed, either in the narrative or in the speculative department of history.

It may be laid down as a general rule, though subject to considerable qualifications and exceptions, that history begins in No-

vel and ends in Essay. Of the romantic historians Herodotus is the earliest and the best. His animation, his simple-hearted tenderness, his wonderful talent for description and dialogue, and the pure sweet flow of his language, place him at the head of narrators. He reminds us of a delightful child. There is a grace beyond the reach of affectation in his awkwardness, a malice in his innocence, an intelligence in his nonsense, an insinuating eloquence in his lisp. We know of no writer who makes such interest for himself and his book in the heart of the reader. At the distance of three-and-twenty centuries, we feel for him the same sort of pitying fondness which Fontaine and Gay are said to have inspired in society. He has written an incomparable book. He has written something better perhaps than the best history; but he has not written a good history; he is, from the first to the last chapter, an inventor. We do not here refer merely to those gross fictions with which he has been reproached by the critics of later times. We speak of that colouring which is equally diffused over his whole narrative, and which perpetually leaves the most sagacious reader in doubt what to reject and what to receive. The most authentic parts of his work bear the same relation to his wildest legends, which Henry the Fifth bears to the Tempest. There was an expedition undertaken by Xerxes against Greece; and there was an invasion of France. There was a battle at Platea; and there was a battle at Agincourt. Cambridge and Exeter, the Constable and the Dauphin, were persons as real as Demaratus and Pausanias. The harangue of the Archbishop on the Salic Law and the Book of Numbers differs much less from the orations which have in all ages proceeded from the Right Reverend bench, than the speeches of Mardonius and Artabanus, from those which were delivered at the Council-board of Susa. Shakspeare gives us enumerations of armies, and returns of killed and wounded, which are not, we suspect, much less accurate than those of Herodotus. There are passages in Herodotus nearly as long as acts of Shakspeare, in which everything is told dramatically, and in which the narrative serves only the purpose of stage-directions. It is possible, no doubt, that the substance of some real conversations may have been reported to the historian. But events which, if they ever happened, happened in ages and nations so remote that the particulars could never have been known to him, are related with the greatest minuteness of detail. We have all that Candaules said to Gyges, and all that passed between Astyages and Harpagus. We are, therefore, unable to judge whether, in the account which he gives of transactions respecting which he might possibly have been well in-

formed, we can trust to anything beyond the naked outline; whether, for example, the answer of Gelon to the ambassadors of the Grecian confederacy, or the expressions which passed between Aristides and Themistocles at their famous interview, have been correctly transmitted to us. The great events are, no doubt, faithfully related. So, probably, are many of the slighter circumstances; but which of them it is impossible to ascertain. The fictions are so much like the facts, and the facts so much like the fictions, that, with respect to many most interesting particulars, our belief is neither given nor withheld, but remains in an uneasy and interminable state of abeyance. We know that there is truth, but we cannot exactly decide where it lies.

The faults of Herodotus are the faults of a simple and imaginative mind. Children and servants are remarkably Herodotean in their style of narration. They tell everything dramatically. Their *says hes* and *says shes* are proverbial. Every person who has had to settle their disputes knows that, even when they have no intention to deceive, their reports of conversation always require to be carefully sifted. If an educated man were giving an account of the late change of administration, he would say—'Lord Goderich resigned; and the King, in consequence, sent 'for the Duke of Wellington.' A porter tells the story as if he had been hid behind the curtains of the royal bed at Windsor: 'So Lord Goderich says, "I cannot manage this business; I '"must go out." So the King says,—says he, "Well, then, I '"must send for the Duke of Wellington—that's all."' This is in the very manner of the father of history.

Herodotus wrote as it was natural that he should write. He wrote for a nation susceptible, curious, lively, insatiably desirous of novelty and excitement; for a nation in which the fine arts had attained their highest excellence, but in which philosophy was still in its infancy. His countrymen had but recently begun to cultivate prose composition. Public transactions had generally been recorded in verse. The first historians might, therefore, indulge without fear of censure, in the license allowed to their predecessors the bards. Books were few. The events of former times were learned from tradition and from popular ballads; the manners of foreign countries from the reports of travellers. It is well known that the mystery which overhangs what is distant, either in space or time, frequently prevents us from censuring as unnatural what we perceive to be impossible. We stare at a dragoon, who has killed three French cuirassiers, as a prodigy; yet we read, without the least disgust, how Godfrey slew his thousands, and Rinaldo his ten thousands. Within the last hundred years, stories about China and Bantam, which

ought not to have imposed on an old nurse, were gravely laid down as foundations of political theories by eminent philosophers. What the time of the Crusades is to us, the generation of Crœsus and Solon was to the Greeks of the time of Herodotus. Babylon was to them what Pekin was to the French academicians of the last century.

For such a people was the book of Herodotus composed; and, if we may trust to a report, not sanctioned indeed by writers of high authority, but in itself not improbable, it was composed not to be read, but to be heard. It was not to the slow circulation of a few copies, which the rich only could possess, that the aspiring author looked for his reward. The great Olympian festival,—the solemnity which collected multitudes, proud of the Grecian name, from the wildest mountains of Doris, and the remotest colonies of Italy and Libya,—was to witness his triumph. The interest of the narrative, and the beauty of the style, were aided by the imposing effect of recitation,—by the splendour of the spectacle, —by the powerful influence of sympathy. A critic, who could have asked for authorities in the midst of such a scene, must have been of a cold and sceptical nature; and few such critics were there. As was the historian, such were the auditors,—inquisitive, credulous, easily moved by religious awe or patriotic enthusiasm. They were the very men to hear with delight of strange beasts, and birds, and trees,—of dwarfs, and giants, and cannibals—of gods, whose very names it was impiety to utter, —of ancient dynasties, which had left behind them monuments surpassing all the works of later times,—of towns like provinces,—of rivers like seas,—of stupendous walls, and temples, and pyramids,—of the rites which the Magi performed at day-break on the tops of the mountains,—of the secrets inscribed on the eternal obelisks of Memphis. With equal delight they would have listened to the graceful romances of their own country. They now heard of the exact accomplishment of obscure predictions, of the punishment of crimes over which the justice of heaven had seemed to slumber,—of dreams, omens, warnings from the dead,—of princesses, for whom noble suitors contended in every generous exercise of strength and skill,—of infants, strangely preserved from the dagger of the assassin, to fulfil high destinies.

As the narrative approached their own times, the interest became still more absorbing. The chronicler had now to tell the story of that great conflict, from which Europe dates its intellectual and political supremacy,—a story which, even at this distance of time, is the most marvellous and the most touching in the annals of the human race,—a story, abounding with all

that is wild and wonderful, with all that is pathetic and animating; with the gigantic caprices of infinite wealth and despotic power,—with the mightier miracles of wisdom, of virtue, and of courage. He told them of rivers dried up in a day,—of provinces famished for a meal,—of a passage for ships hewn through the mountains,—of a road for armies spread upon the waves,—of monarchies and commonwealths swept away,—of anxiety, of terror, of confusion, of despair!—and then of proud and stubborn hearts tried in that extremity of evil, and not found wanting,—of resistance long maintained against desperate odds,—of lives dearly sold, when resistance could be maintained no more,—of signal deliverance, and of unsparing revenge. Whatever gave a stronger air of reality to a narrative so well calculated to inflame the passions, and to flatter national pride, was certain to be favourably received.

Between the time at which Herodotus is said to have composed his history, and the close of the Peloponnesian war, about forty years elapsed,—forty years, crowded with great military and political events. The circumstances of that period produced a great effect on the Grecian character; and nowhere was this effect so remarkable as in the illustrious democracy of Athens. An Athenian, indeed, even in the time of Herodotus, would scarcely have written a book so romantic and garrulous as that of Herodotus. As civilization advanced, the citizens of that famous republic became still less visionary, and still less simple-hearted. They aspired to know, where their ancestors had been content to doubt; they began to doubt, where their ancestors had thought it their duty to believe. Aristophanes is fond of alluding to this change in the temper of his countrymen. The father and son, in the Clouds, are evidently representatives of the generations to which they respectively belonged. Nothing more clearly illustrates the nature of this moral revolution, than the change which passed upon tragedy. The wild sublimity of Æschylus became the scoff of every young Phidippides. Lectures on abstruse points of philosophy, the fine distinctions of casuistry, and the dazzling fence of rhetoric, were substituted for poetry. The language lost something of that infantine sweetness which had characterised it. It became less like the ancient Tuscan, and more like the modern French.

The fashionable logic of the Greeks was, indeed, far from strict. Logic never can be strict where books are scarce, and where information is conveyed orally. We are all aware how frequently fallacies, which, when set down on paper, are at once detected, pass for unanswerable arguments when dexterously and volubly urged in Parliament, at the bar, or in private con-

versation. The reason is evident. We cannot inspect them closely enough to perceive their inaccuracy. We cannot readily compare them with each other. We lose sight of one part of the subject, before another, which ought to be received in connexion with it, comes before us; and as there is no immutable record of what has been admitted, and of what has been denied, direct contradictions pass muster with little difficulty. Almost all the education of a Greek consisted in talking and listening. His opinions on government were picked up in the debates of the assembly. If he wished to study metaphysics, instead of shutting himself up with a book, he walked down to the market-place to look for a sophist. So completely were men formed to these habits, that even writing acquired a conversational air. The philosophers adopted the form of dialogue, as the most natural mode of communicating knowledge. Their reasonings have the merits and the defects which belong to that species of composition; and are characterised rather by quickness and subtilty, than by depth and precision. Truth is exhibited in parts, and by glimpses. Innumerable clever hints are given; but no sound and durable system is erected. The *argumentum ad hominem*, a kind of argument most efficacious in debate, but utterly useless for the investigation of general principles, is among their favourite resources. Hence, though nothing can be more admirable than the skill which Socrates displays in the conversations which Plato has reported or invented, his victories, for the most part, seem to us unprofitable. A trophy is set up; but no new province is added to the dominions of the human mind.

Still, where thousands of keen and ready intellects were constantly employed in speculating on the qualities of actions, and on the principles of government, it was impossible that history should retain its old character. It became less gossiping and less picturesque; but much more accurate, and somewhat more scientific.

The history of Thucydides differs from that of Herodotus as a portrait differs from the representation of an imaginary scene; as the Burke or Fox of Reynolds differs from his Ugolino or his Beaufort. In the former case, the archetype is given: in the latter, it is created. The faculties which are required for the latter purpose are of a higher and rarer order than those which suffice for the former, and indeed necessarily comprise them. He who is able to paint what he sees with the eye of the mind, will surely be able to paint what he sees with the eye of the body. He who can invent a story, and tell it well, will also be able to tell, in an interesting manner, a story which he has not invented.

If, in practice, some of the best writers of fiction have been among the worst writers of history, it has been because one of their talents had merged in another so completely, that it could not be severed; because, having long been habituated to invent and narrate at the same time, they found it impossible to narrate without inventing.

Some capricious and discontented artists have affected to consider portrait-painting as unworthy of a man of genius. Some critics have spoken in the same contemptuous manner of history. Johnson puts the case thus: The historian tells either what is false or what is true. In the former case he is no historian. In the latter, he has no opportunity for displaying his abilities. For truth is one: and all who tell the truth must tell it alike.

It is not difficult to elude both the horns of this dilemma. We will recur to the analogous art of portrait-painting. Any man with eyes and hands may be taught to take a likeness. The process, up to a certain point, is merely mechanical. If this were all, a man of talents might justly despise the occupation. But we could mention portraits which are resemblances,—but not mere resemblances; faithful,—but much more than faithful; portraits which condense into one point of time, and exhibit, at a single glance, the whole history of turbid and eventful lives—in which the eye seems to scrutinize us, and the mouth to command us—in which the brow menaces, and the lip almost quivers with scorn—in which every wrinkle is a comment on some important transaction. The account which Thucydides has given of the retreat from Syracuse, is, among narratives, what Vandyk's Lord Strafford is among paintings.

Diversity, it is said, implies error: truth is one, and admits of no degrees. We answer, that this principle holds good only in abstract reasonings. When we talk of the truth of imitation in the fine arts, we mean an imperfect and a graduated truth. No picture is exactly like the original: nor is a picture good in proportion as it is like the original. When Sir Thomas Lawrence paints a handsome peeress, he does not contemplate her through a powerful microscope, and transfer to the canvass the pores of the skin, the blood-vessels of the eye, and all the other beauties which Gulliver discovered in the Brobdignaggian maids of honour. If he were to do this, the effect would not merely be unpleasant, but unless the scale of the picture were proportionably enlarged, would be absolutely *false*. And, after all, a microscope of greater power than that which he had employed, would convict him of innumerable omissions. The same may be said of history. Perfectly and absolutely true it cannot be: for to be perfectly and absolutely true, it ought to record *all* the

slightest particulars of the slightest transactions—all the things done, and all the words uttered, during the time of which it treats. The omission of any circumstance, however insignificant, would be a defect. If history were written thus, the Bodleian library would not contain the occurrences of a week. What is told in the fullest and most accurate annals bears an infinitely small proportion to what is suppressed. The difference between the copious work of Clarendon, and the account of the civil wars in the abridgement of Goldsmith, vanishes, when compared with the immense mass of facts, respecting which both are equally silent.

No picture, then, and no history, can present us with the whole truth: but those are the best pictures and the best histories which exhibit such parts of the truth as most nearly produce the effect of the whole. He who is deficient in the art of selection may, by showing nothing but the truth, produce all the effect of the grossest falsehood. It perpetually happens that one writer tells less truth than another, merely because he tells more truths. In the imitative arts we constantly see this. There are lines in the human face, and objects in landscape, which stand in such relations to each other, that they ought either to be all introduced into a painting together, or all omitted together. A sketch into which none of them enters, may be excellent; but if some are given and others left out, though there are more points of likeness, there is less likeness. An outline scrawled with a pen, which seizes the marked features of a countenance, will give a much stronger idea of it than a bad painting in oils. Yet the worst painting in oils that ever hung at Somerset House resembles the original in many more particulars. A bust of white marble may give an excellent idea of a blooming face. Colour the lips and cheeks of the bust, leaving the hair and eyes unaltered, and the similarity, instead of being more striking, will be less so.

History has its foreground and its background: and it is principally in the management of its perspective, that one artist differs from another. Some events must be represented on a large scale, others diminished; the great majority will be lost in the dimness of the horizon; and a general idea of their joint effect will be given by a few slight touches.

In this respect, no writer has ever equalled Thucydides. He was a perfect master of the art of gradual diminution. His history is sometimes as concise as a chronological chart; yet it is always perspicuous. It is sometimes as minute as one of Lovelace's letters; yet it is never prolix. He never fails to contract and to expand it in the right place.

Thucydides borrowed from Herodotus the practice of putting speeches of his own into the mouths of his characters. In Herodotus this usage is scarcely censurable. It is of a piece with his whole manner. But it is altogether incongruous in the work of his successor, and violates, not only the accuracy of history, but the decencies of fiction. When once we enter into the spirit of Herodotus, we find no inconsistency. The conventional probability of his drama is preserved from the beginning to the end. The deliberate orations, and the familiar dialogues, are in strict keeping with each other. But the speeches of Thucydides are neither preceded nor followed by anything with which they harmonize. They give to the whole book something of the grotesque character of those Chinese pleasure-grounds, in which perpendicular rocks of granite start up in the midst of a soft green plain. Invention is shocking, where truth is in such close juxta-position with it.

Thucydides honestly tells us that some of these discourses are purely fictitious. He may have reported the substance of others correctly. But it is clear from the internal evidence that he has preserved no more than the substance. His own peculiar habits of thought and expression are everywhere discernible. Individual and national peculiarities are seldom to be traced in the sentiments, and never in the diction. The oratory of the Corinthians and Thebans is not less attic, either in matter or in manner, than that of the Athenians. The style of Cleon is as pure, as austere, as terse, and as significant, as that of Pericles.

In spite of this great fault, it must be allowed that Thucydides has surpassed all his rivals in the art of historical narration, in the art of producing an effect on the imagination, by skilful selection and disposition, without indulging in the license of invention. But narration, though an important part of the business of a historian, is not the whole. To append a moral to a work of fiction, is either useless or superfluous. A fiction may give a more impressive effect to what is already known, but it can teach nothing new. If it presents to us characters and trains of events to which our experience furnishes us with nothing similar, instead of deriving instruction from it, we pronounce it unnatural. We do not form our opinions from it; but we try it by our preconceived opinions. Fiction, therefore, is essentially imitative. Its merit consists in its resemblance to a model with which we are already familiar, or to which at least we can instantly refer. Hence it is that the anecdotes which interest us most strongly in authentic narrative, are offensive when introduced into novels; that what is called the romantic part of

history, is in fact the least romantic. It is delightful as history, because it contradicts our previous notions of human nature, and of the connexion of causes and effects. It is, on that very account, shocking and incongruous in fiction. In fiction, the principles are given to find the facts: In history, the facts are given to find the principles; and the writer who does not explain the phenomena as well as state them, performs only one half of his office. Facts are the mere dross of history. It is from the abstract truth which interpenetrates them, and lies latent among them, like gold in the ore, that the mass derives its whole value: And the precious particles are generally combined with the baser in such a manner that the separation is a task of the utmost difficulty.

Here Thucydides is deficient: The deficiency, indeed, is not discreditable to him. It was the inevitable effect of circumstances. It was in the nature of things necessary that, in some part of its progress through political science, the human mind should reach that point which it attained in his time. Knowledge advances by steps, and not by leaps. The axioms of an English debating club would have been startling and mysterious paradoxes to the most enlightened statesman of Athens. But it would be as absurd to speak contemptuously of the Athenian on this account, as to ridicule Strabo for not having given us an account of Chili, or to talk of Ptolemy as we talk of Sir Richard Phillips. Still, when we wish for solid geographical information, we must prefer the solemn coxcombry of Pinkerton to the noble work of Strabo. If we wanted instruction respecting the solar system, we should consult the silliest girl from a boarding-school, rather than Ptolemy.

Thucydides was undoubtedly a sagacious and reflecting man. This clearly appears from the ability with which he discusses practical questions. But the talent of deciding on the circumstances of a particular case, is often possessed in the highest perfection by persons destitute of the power of generalization. Men skilled in the military tactics of civilized nations, have been amazed at the far-sightedness and penetration which a Mohawk displays in concerting his stratagems, or in discerning those of his enemies. In England, no class possesses so much of that peculiar ability which is required for constructing ingenious schemes, and for obviating remote difficulties, as the thieves and the thief-takers. Women have more of this dexterity than men. Lawyers have more of it than statesmen: Statesmen have more of it than philosophers. Monk had more of it than Harrington and all his club. Walpole had more of it than Adam

Smith or Beccaria. Indeed, the species of discipline by which this dexterity is acquired, tends to contract the mind, and to render it incapable of abstract reasoning.

The Grecian statesmen of the age of Thucydides were distinguished by their practical sagacity, their insight into motives, their skill in devising means for the attainment of their ends. A state of society in which the rich were constantly planning the oppression of the poor, and the poor the spoliation of the rich, in which the ties of party had superseded those of country, in which revolutions and counter-revolutions were events of daily occurrence, was naturally prolific in desperate and crafty political adventurers. This was the very school in which men were likely to acquire the dissimulation of Mazarine, the judicious temerity of Richelieu, the penetration, the exquisite tact, the almost instinctive presentiment of approaching events which gave so much authority to the counsel of Shaftesbury, that 'it 'was as if a man had inquired of the oracle of God.' In this school Thucydides studied; and his wisdom is that which such a school would naturally afford. He judges better of circumstances than of principles. The more a question is narrowed, the better he reasons upon it. His work suggests many most important considerations respecting the first principles of government and morals, the growth of factions, the organization of armies, and the mutual relations of communities. Yet all his general observations on these subjects are very superficial. His most judicious remarks differ from the remarks of a really philosophical historian, as a sum correctly cast up by a book-keeper, from a general expression discovered by an algebraist. The former is useful only in a single transaction; the latter may be applied to an infinite number of cases.

This opinion will, we fear, be considered as heterodox. For, not to speak of the illusion which the sight of a Greek type, or the sound of a Greek diphthong, often produces, there are some peculiarities in the manner of Thucydides, which in no small degree have tended to secure to him the reputation of profundity. His book is evidently the book of a man and a statesman; and in this respect presents a remarkable contrast to the delightful childishness of Herodotus. Throughout it there is an air of matured power, of grave and melancholy reflection, of impartiality and habitual self-command. His feelings are rarely indulged, and speedily repressed. Vulgar prejudices of every kind, and particularly vulgar superstitions, he treats with a cold and sober disdain peculiar to himself. His style is weighty, condensed, antithetical, and not unfrequently obscure. But when we look at his political philosophy, without regard to these cir-

cumstances, we find him to have been, what indeed it would have been a miracle if he had not been, simply an Athenian of the fifth century before Christ.

Xenophon is commonly placed, but we think without much reason, in the same rank with Herodotus and Thucydides. He resembles them, indeed, in the purity and sweetness of his style; but in spirit, he rather resembles that later school of historians, whose works seem to be fables, composed for a moral, and who, in their eagerness to give us warnings and example, forget to give us men and women. The Life of Cyrus, whether we look upon it as a history or as a romance, seems to us a very wretched performance. The Expedition of the Ten Thousand, and the History of Grecian Affairs, are certainly pleasant reading; but they indicate no great power of mind. In truth, Xenophon, though his taste was elegant, his disposition amiable, and his intercourse with the world extensive, had, we suspect, rather a weak head. Such was evidently the opinion of that extraordinary man to whom he early attached himself, and for whose memory he entertained an idolatrous veneration. He came in only for the milk with which Socrates nourished his babes in philosophy. A few saws of morality, and a few of the simplest doctrines of natural religion, were enough for the good young man. The strong meat, the bold speculations on physical and metaphysical science, were reserved for auditors of a different description. Even the lawless habits of a captain of mercenary troops, could not change the tendency which the character of Xenophon early acquired. To the last, he seems to have retained a sort of heathen Puritanism. The sentiments of piety and virtue which abound in his works, are those of a well-meaning man, somewhat timid and narrow-minded, devout from constitution rather than from rational conviction. He was as superstitious as Herodotus, but in a way far more offensive. The very peculiarities which charm us in an infant, the toothless mumbling, the stammering, the tottering, the helplessness, the causeless tears and laughter, are disgusting in old age. In the same manner, the absurdity which precedes a period of general intelligence, is often pleasing; that which follows it is contemptible. The nonsense of Herodotus is that of a baby. The nonsense of Xenophon is that of a dotard. His stories about dreams, omens, and prophecies, present a strange contrast to the passages in which the shrewd and incredulous Thucydides mentions the popular superstitions. It is not quite clear that Xenophon was honest in his credulity; his fanaticism was in some degree politic. He would have made an excellent member of the Apostolic Comarilla. An Alarmist by nature, an Aris-

tocrat by party, he carried to an unreasonable excess his horror of popular turbulence. The quiet atrocity of Sparta did not shock him in the same manner; for he hated tumult more than crimes. He was desirous to find restraints which might curb the passions of the multitude; and he absurdly fancied that he had found them in a religion without evidences or sanction, precepts or example, in a frigid system of Theophilanthropy, supported by nursery tales.

Polybius and Arrian have given us authentic accounts of facts, and here their merit ends. They were not men of comprehensive minds; they had not the art of telling a story in an interesting manner. They have in consequence been thrown into the shade by writers, who, though less studious of truth than themselves, understood far better the art of producing effect, by Livy and Quintus Curtius.

Yet Polybius and Arrian deserve high praise, when compared with the writers of that school of which Plutarch may be considered as the head. For the historians of this class we must confess that we entertain a peculiar aversion. They seem to have been pedants, who, though destitute of those valuable qualities which are frequently found in conjunction with pedantry, thought themselves great philosophers and great politicians. They not only mislead their readers in every page, as to particular facts, but they appear to have altogether misconceived the whole character of the times of which they write. They were inhabitants of an empire bounded by the Atlantic Ocean and the Euphrates, by the ice of Scythia and the sands of Mauritania; composed of nations whose manners, whose languages, whose religion, whose countenances and complexions, were widely different, governed by one mighty despotism, which had risen on the ruins of a thousand commonwealths and kingdoms. Of liberty, such as it is in small democracies; of patriotism, such as it is in small independent communities of any kind, they had, and they could have, no experimental knowledge. But they had read of men who exerted themselves in the cause of their country, with an energy unknown in later times, who had violated the dearest of domestic charities, or voluntarily devoted themselves to death for the public good; and they wondered at the degeneracy of their contemporaries. It never occurred to them, that the feelings which they so greatly admired, sprung from local and occasional causes; that they will always grow up spontaneously in small societies; and that, in large empires, though they may be forced into existence for a short time by peculiar circumstances, they cannot be general or permanent. It is impossible that any man should feel for a fortress on a remote frontier,

as he feels for his own house; that he should grieve for a defeat in which ten thousand people whom he never saw have fallen, as he grieves for a defeat which has half unpeopled the street in which he lives; that he should leave his home for a military expedition, in order to preserve the balance of power, as cheerfully as he would leave it to repel invaders who had begun to burn all the cornfields in his neighbourhood.

The writers of whom we speak should have considered this. They should have considered, that, in patriotism such as it existed amongst the Greeks, there was nothing essentially and eternally good; that an exclusive attachment to a particular society, though a natural, and, under certain restrictions, a most useful sentiment, implies no extraordinary attainments in wisdom or virtue; that where it has existed in an intense degree, it has turned states into gangs of robbers, whom their mutual fidelity has rendered more dangerous, has given a character of peculiar atrocity to war, and has generated that worst of all political evils, the tyranny of nations over nations.

Enthusiastically attached to the name of liberty, these historians troubled themselves little about its definition. The Spartans, tormented by ten thousand absurd restraints, unable to please themselves in the choice of their wives, their suppers, or their company, compelled to assume a peculiar manner, and to talk in a peculiar style, gloried in their liberty. The aristocracy of Rome repeatedly made liberty a plea for cutting off the favourites of the people. In almost all the little commonwealths of antiquity, liberty was used as a pretext for measures directed against everything which makes liberty valuable, for measures which stifled discussion, corrupted the administration of justice, and discouraged the accumulation of property. The writers, whose works we are considering, confounded the sound with the substance, and the means with the end. Their imaginations were inflamed by mystery. They conceived of liberty as monks conceive of love, as Cockneys conceive of the happiness and innocence of rural life, as novel-reading sempstresses conceive of Almack's and Grosvenor Square, accomplished Marquesses and handsome Colonels of the Guards. In the relation of events, and the delineation of characters, they have paid little attention to facts, to the costume of the times of which they pretend to treat, or to the general principles of human nature. They have been faithful only to their own puerile and extravagant doctrines. Generals and statesmen are metamorphosed into magnanimous coxcombs, from whose fulsome virtues we turn away with disgust. The fine sayings and exploits of their heroes, remind us of the insufferable perfections of Sir Charles Grandi-

son, and affect us with a nausea similar to that which we feel when an actor, in one of Morton's or Kotzebue's plays, lays his hand on his heart, advances to the ground-lights, and mouths a moral sentence for the edification of the Gods.

These writers, men who knew not what it was to have a country, men who had never enjoyed political rights, brought into fashion an offensive cant about patriotism and zeal for freedom. What the English Puritans did for the language of Christianity, what Scuderi did for the language of love, they did for the language of public spirit. By habitual exaggeration they made it mean. By monotonous emphasis they made it feeble. They abused it till it became scarcely possible to use it with effect.

Their ordinary rules of morality are deduced from extreme cases. The common regimen which they prescribe for society, is made up of those desperate remedies which only its most desperate distempers require. They look with peculiar complacency on actions, which even those who approve them consider as exceptions to laws of almost universal application—which bear so close an affinity to the most atrocious crimes, that, even where it may be unjust to censure them, it is unsafe to praise them. It is not strange, therefore, that some flagitious instances of perfidy and cruelty should have been passed unchallenged in such company, that grave moralists, with no personal interest at stake, should have extolled, in the highest terms, deeds of which the atrocity appalled even the infuriated factions in whose cause they were perpetrated. The part which Timoleon took in the assassination of his brother, shocked many of his own partisans. The recollection of it preyed long on his own mind. But it was reserved for historians who lived some centuries later to discover that his conduct was a glorious display of virtue, and to lament that, from the frailty of human nature, a man who could perform so great an exploit could repent of it.

The writings of these men, and of their modern imitators, have produced effects which deserve some notice. The English have been so long accustomed to political speculation, and have enjoyed so large a measure of practical liberty, that such works have produced little effect on their minds. We have classical associations and great names of our own, which we can confidently oppose to the most splendid of ancient times. Senate has not to our ears a sound so venerable as Parliament. We respect the Great Charter more than the laws of Solon. The Capitol and the Forum impress us with less awe than our own Westminster Hall and Westminster Abbey, the place where the great men of twenty generations have contended, the place where

they sleep together! The list of warriors and statesmen by whom our constitution was founded or preserved, from De Monfort down to Fox, may well stand a comparison with the Fasti of Rome. The dying thanksgiving of Sidney is as noble as the libation which Thrasea poured to Liberating Jove: And we think with far less pleasure of Cato tearing out his entrails, than of Russel saying, as he turned away from his wife, that the bitterness of death was past. Even those parts of our history, over which, on some accounts, we would gladly throw a veil, may be proudly opposed to those on which the moralists of antiquity loved most to dwell. The enemy of English liberty was not murdered by men whom he had pardoned and loaded with benefits. He was not stabbed in the back by those who smiled and cringed before his face. He was vanquished on fields of stricken battle; he was arraigned, sentenced, and executed in the face of heaven and earth. Our liberty is neither Greek nor Roman; but essentially English. It has a character of its own, —a character which has taken a tinge from the sentiments of the chivalrous ages, and which accords with the peculiarities of our manners and of our insular situation. It has a language, too, of its own, and a language singularly idiomatic, full of meaning to ourselves, scarcely intelligible to strangers.

Here, therefore, the effect of books such as those which we have been considering, has been harmless. They have, indeed, given currency to many very erroneous opinions with respect to ancient history. They have heated the imaginations of boys. They have misled the judgment, and corrupted the taste, of some men of letters, such as Akenside and Sir William Jones. But on persons engaged in public affairs they have had very little influence. The foundations of our constitution were laid by men who knew nothing of the Greeks, but that they denied the orthodox procession, and cheated the Crusaders; and nothing of Rome, but that the Pope lived there. Those who followed, contented themselves with improving on the original plan. They found models at home; and therefore they did not look for them abroad. But when enlightened men on the Continent began to think about political reformation, having no patterns before their eyes in their domestic history, they naturally had recourse to those remains of antiquity, the study of which is considered throughout Europe as an important part of education. The historians of whom we have been speaking, had been members of large communities, and subjects of absolute sovereigns. Hence it is, as we have already said, that they commit such gross errors in speaking of the little republics of antiquity. Their works were now read in the spirit in which they had been written.

They were read by men placed in circumstances closely resembling their own, unacquainted with the real nature of liberty, but inclined to believe everything good which could be told respecting it. How powerfully these books impressed these speculative reformers, is well known to all who have paid any attention to the French literature of the last century. But, perhaps, the writer on whom they produced the greatest effect, was Vittorio Alfieri. In some of his plays, particularly in Virginia, Timoleon, and Brutus the Younger, he has even caricatured the extravagance of his masters.

It was not strange that the blind, thus led by the blind, should stumble. The transactions of the French Revolution, in some measure, took their character from these works. Without the assistance of these works, indeed, a revolution would have taken place,—a revolution productive of much good and much evil, tremendous, but shortlived evil, dearly purchased, but durable good. But it would not have been exactly such a revolution. The style, the accessories, would have been in many respects different. There would have been less of bombast in language, less of affectation in manner, less of solemn trifling and ostentatious simplicity. The acts of legislative assemblies, and the correspondence of diplomatists, would not have been disgraced by rants worthy only of a college declamation. The government of a great and polished nation would not have rendered itself ridiculous, by attempting to revive the usages of a world which had long passed away, or rather of a world which had never existed except in the description of a fantastic school of writers. These second-hand imitations resembled the originals about as much as the classical feast with which the Doctor in Peregrine Pickle turned the stomachs of all his guests, resembled one of the suppers of Lucullus in the Hall of Apollo.

These were mere follies. But the spirit excited by these writers produced more serious effects. The greater part of the crimes which disgraced the revolution, sprung indeed from the relaxation of law, from popular ignorance, from the remembrance of past oppression, from the fear of foreign conquest, from rapacity, from ambition, from party-spirit. But many atrocious proceedings must, doubtless, be ascribed to heated imagination, to perverted principle, to a distaste for what was vulgar in morals, and a passion for what was startling and dubious. Mr Burke has touched on this subject with great felicity of expression: 'The gradation of their republic,' says he, 'is laid in 'moral paradoxes. All those instances to be found in history, 'whether real or fabulous, of a doubtful public spirit, at which 'morality is perplexed, reason is staggered, and from which af-

'frighted nature recoils, are their chosen and almost sole ex-'amples for the instruction of their youth.' This evil, we believe, is to be directly ascribed to the influence of the historians whom we have mentioned, and their modern imitators.

Livy had some faults in common with these writers. But on the whole he must be considered as forming a class by himself: No historian with whom we are acquainted has shown so complete an indifference to truth. He seems to have cared only about the picturesque effect of his book, and the honour of his country. On the other hand, we do not know, in the whole range of literature, an instance of a bad thing so well done. The painting of the narrative is beyond description vivid and graceful. The abundance of interesting sentiments and splendid imagery in the speeches is almost miraculous. His mind is a soil which is never overteemed, a fountain which never seems to trickle. It pours forth profusely; yet it gives no sign of exhaustion. It was probably to this exuberance of thought and language, always fresh, always sweet, always pure, no sooner yielded than repaired, that the critics applied that expression which has been so much discussed, *lactea ubertas.*

All the merits and all the defects of Livy take a colouring from the character of his nation. He was a writer peculiarly Roman; the proud citizen of a commonwealth which had indeed lost the reality of liberty, but which still sacredly preserved its forms—in fact the subject of an arbitrary prince, but in his own estimation one of the masters of the world, with a hundred kings below him, and only the gods above him. He, therefore, looked back on former times with feelings far different from those which were naturally entertained by his Greek contemporaries, and which at a later period became general among men of letters throughout the Roman Empire. He contemplated the past with interest and delight, not because it furnished a contrast to the present, but because it had led to the present. He recurred to it, not to lose in proud recollections the sense of national degradation, but to trace the progress of national glory. It is true that his veneration for antiquity produced on him some of the effects which it produced on those who arrived at it by a very different road. He has something of their exaggeration, something of their cant, something of their fondness for anomalies and *lusus naturæ* in morality. Yet even here we perceive a difference. They talk rapturously of patriotism and liberty in the abstract. He does not seem to think any country but Rome deserving of love: nor is it for liberty as liberty, but for liberty as a part of the Roman institutions, that he is zealous.

Of the concise and elegant accounts of the campaigns of Cæsar little can be said. They are incomparable models for military despatches. But histories they are not, and do not pretend to be.

The ancient critics placed Sallust in the same rank with Livy; and unquestionably the small portion of his works which has come down to us is calculated to give a high opinion of his talents. But his style is not very pleasant: and his most powerful work, the account of the Conspiracy of Catiline, has rather the air of a clever party pamphlet than that of a history. It abounds with strange inconsistencies, which, unexplained as they are, necessarily excite doubts as to the fairness of the narrative. It is true, that many circumstances now forgotten may have been familiar to his contemporaries, and may have rendered passages clear to them which to us appear dubious and perplexing. But a great historian should remember that he writes for distant generations, for men who will perceive the apparent contradictions, and will possess no means of reconciling them. We can only vindicate the fidelity of Sallust at the expense of his skill. But in fact all the information which we have from contemporaries respecting this famous plot is liable to the same objection, and is read by discerning men with the same incredulity. It is all on one side. No answer has reached our times. Yet, on the showing of the accusers, the accused seem entitled to acquittal. Catiline, we are told, intrigued with a Vestal virgin, and murdered his own son. His house was a den of gamblers and debauchees. No young man could cross his threshold without danger to his fortune and reputation. Yet this is the man with whom Cicero was willing to coalesce in a contest for the first magistracy of the republic; and whom he described, long after the fatal termination of the conspiracy, as an accomplished hypocrite, by whom he had himself been deceived, and who had acted with consummate skill the character of a good citizen and a good friend. We are told that the plot was the most wicked and desperate ever known, and almost in the same breath, that the great body of the people, and many of the nobles favoured it; that the richest citizens of Rome were eager for the spoliation of all property, and its highest functionaries for the destruction of all order; that Crassus, Cæsar, the Prætor Lentulus, one of the consuls of the year, one of the consuls elect, were proved or suspected to be engaged in a scheme for subverting institutions to which they owed the highest honours, and introducing universal anarchy. We are told, that a government which knew all this, suffered the conspirator, whose rank, talents, and courage, rendered him most

dangerous, to quit Rome without molestation. We are told, that bondmen and gladiators were to be armed against the citizens. Yet we find that Catiline rejected the slaves who crowded to enlist in his army, lest, as Sallust himself expresses it, 'he 'should seem to identify their cause with that of the citizens.' Finally, we are told that the magistrate, who was universally allowed to have saved all classes of his countrymen from conflagration and massacre, rendered himself so unpopular by his conduct, that a marked insult was offered to him at the expiration of his office, and a severe punishment inflicted on him shortly after.

Sallust tells us what, indeed, the letters and speeches of Cicero sufficiently prove, that some persons considered the shocking and atrocious parts of the plot as mere inventions of the government, designed to excuse its unconstitutional measures. We must confess ourselves to be of that opinion. There was, undoubtedly, a strong party desirous to change the administration. While Pompey held the command of an army, they could not effect their purpose without preparing means for repelling force, if necessary, by force. In all this there is nothing different from the ordinary practice of Roman factions. The other charges brought against the conspirators are so inconsistent and improbable, that we give no credit whatever to them. If our readers think this scepticism unreasonable, let them turn to the contemporary accounts of the Popish plot. Let them look over the votes of Parliament, and the speeches of the King; the charges of Scroggs, and the harangues of the managers employed against Strafford. A person who should form his judgment from these pieces alone, would believe that London was set on fire by the Papists, and that Sir Edmondbury Godfrey was murdered for his religion. Yet these stories are now altogether exploded. They have been abandoned by statesmen to aldermen, by aldermen to clergymen, by clergymen to old women, and by old women to Sir Harcourt Lees.

Of the Latin historians, Tacitus was certainly the greatest. His style indeed is not only faulty in itself, but is, in some respects, peculiarly unfit for historical composition. He carries his love of effect far beyond the limits of moderation. He tells a fine story finely: but he cannot tell a plain story plainly. He stimulates till stimulants lose their power. Thucydides, as we have already observed, relates ordinary transactions with the unpretending clearness and succinctness of a gazette. His great powers of painting he reserves for events, of which the slightest details are interesting. The simplicity of the setting gives additional lustre to the brilliants. There are passages in the nar-

rative of Tacitus superior to the best which can be quoted from Thucydides. But they are not enchased and relieved with the same skill. They are far more striking when extracted from the body of the work to which they belong, than when they occur in their place, and are read in connexion with what precedes and follows.

In the delineation of character, Tacitus is unrivalled among historians, and has very few superiors among dramatists and novelists. By the delineation of character, we do not mean the practice of drawing up epigrammatic catalogues of good and bad qualities, and appending them to the names of eminent men. No writer, indeed, has done this more skilfully than Tacitus: but this is not his peculiar glory. All the persons who occupy a large space in his works have an individuality of character which seems to pervade all their words and actions. We know them as if we had lived with them. Claudius, Nero, Otho, both the Agrippinas, are master-pieces. But Tiberius is a still higher miracle of art. The historian undertook to make us intimately acquainted with a man singularly dark and inscrutable, —with a man whose real disposition long remained swathed up in intricate folds of factitious virtues; and over whose actions the hypocrisy of his youth, and the seclusion of his old age, threw a singular mystery. He was to exhibit the specious qualities of the tyrant in a light which might render them transparent, and enable us at once to perceive the covering and the vices which it concealed. He was to trace the gradations by which the first magistrate of a republic, a senator mingling freely in debate, a noble associating with his brother nobles, was transformed into an Asiatic sultan; he was to exhibit a character distinguished by courage, self-command, and profound policy, yet defiled by all

> 'th' extravagancy
> And crazy ribaldry of fancy.'

He was to mark the gradual effect of advancing age and approaching death on this strange compound of strength and weakness; to exhibit the old sovereign of the world sinking into a dotage which, though it rendered his appetites eccentric, and his temper savage, never impaired the powers of his stern and penetrating mind—conscious of failing strength, raging with capricious sensuality, yet to the last the keenest of observers, the most artful of dissemblers, and the most terrible of masters. The task was one of extreme difficulty. The execution is almost perfect.

The talent which is required to write history thus, bears a considerable affinity to the talent of a great dramatist. There

is one obvious distinction. The dramatist creates, the historian only disposes. The difference is not in the mode of execution, but in the mode of conception. Shakspeare is guided by a model which exists in his imagination; Tacitus, by a model furnished from without. Hamlet is to Tiberius what the Laocoon is to the Newton of Roubilliac.

In this part of his art Tacitus certainly had neither equal nor second among the ancient historians. Herodotus, though he wrote in a dramatic form, had little of dramatic genius. The frequent dialogues which he introduces give vivacity and movement to the narrative; but are not strikingly characteristic. Xenophon is fond of telling his readers, at considerable length, what he thought of the persons whose adventures he relates. But he does not show them the men, and enable them to judge for themselves. The heroes of Livy are the most insipid of all beings, real or imaginary, the heroes of Plutarch always excepted. Indeed, the manner of Plutarch in this respect reminds us of the cookery of those continental inns, the horror of English travellers, in which a certain non-descript broth is kept constantly boiling, and copiously poured, without distinction, over every dish as it comes up to table. Thucydides, though at a wide interval, comes next to Tacitus. His Pericles, his Nicias, his Cleon, his Brasidas, are happily discriminated. The lines are few, the colouring faint; but the general air and expression is caught.

We begin, like the priest in Don Quixote's library, to be tired with taking down books one after another for separate judgment, and feel inclined to pass sentence on them in masses. We shall therefore, instead of pointing out the defects and merits of the different modern historians, state generally in what particulars they have surpassed their predecessors, and in what we conceive them to have failed.

They have certainly been, in one sense, far more strict in their adherence to truth, than most of the Greek and Roman writers. They do not think themselves entitled to render their narrative interesting by introducing descriptions, conversations, and harangues, which have no existence but in their own imagination. This improvement was gradually introduced. History commenced among the modern nations of Europe, as it had commenced among the Greeks, in romance. Froissart was our Herodotus. Italy was to Europe what Athens was to Greece. In Italy, therefore, a more accurate and manly mode of narration was early introduced. Machiavelli and Guicciardini, in imitation of Livy and Thucydides, composed speeches for their historical personages. But as the classical enthusiasm which

distinguished the age of Lorenzo and Leo, gradually subsided, this absurd practice was abandoned. In France, we fear, it still, in some degree, keeps its ground. In our own country, a writer who should venture on it would be laughed to scorn. Whether the historians of the last two centuries tell more truth than those of antiquity, may perhaps be doubted. But it is quite certain that they tell fewer falsehoods.

In the philosophy of history, the moderns have very far surpassed the ancients. It is not, indeed, strange that the Greeks and Romans should not have carried the science of government, or any other experimental science, so far as it has been carried in our time; for the experimental sciences are generally in a state of progression. They were better understood in the seventeenth century than in the sixteenth, and in the eighteenth century than in the seventeenth. But this constant improvement, this natural growth of knowledge, will not altogether account for the immense superiority of the modern writers. The difference is a difference not in degree but of kind. It is not merely that new principles have been discovered, but that new faculties seem to be exerted. It is not that at one time the human intellect should have made but small progress, and at another time have advanced far; but that at one time it should have been stationary, and at another time constantly proceeding. In taste and imagination, in the graces of style, in the arts of persuasion, in the magnificence of public works, the ancients were at least our equals. They reasoned as justly as ourselves on subjects which required pure demonstration. But in the moral sciences they made scarcely any advance. During the long period which elapsed between the fifth century before the Christian era, and the fifth century after it, little perceptible progress was made. All the metaphysical discoveries of all the philosophers, from the time of Socrates to the northern invasion, are not to be compared in importance with those which have been made in England every fifty years since the time of Elizabeth. There is not the least reason to believe that the principles of government, legislation, and political economy, were better understood in the time of Augustus Cæsar, than in the time of Pericles. In our own country, the sound doctrines of trade and jurisprudence have been, within the lifetime of a single generation, dimly hinted, boldly propounded, defended, systematized, adopted by all reflecting men of all parties, quoted in legislative assemblies, incorporated into laws and treaties.

To what is this change to be attributed? Partly, no doubt, to the discovery of printing, a discovery which has not only diffused knowledge widely, but, as we have already observed, has

also introduced into reasoning a precision unknown in those ancient communities, in which information was, for the most part, conveyed orally. There was, we suspect, another cause, less obvious, but still more powerful.

The spirit of the two most famous nations of antiquity was remarkably exclusive. In the time of Homer, the Greeks had not begun to consider themselves as a distinct race. They still looked with something of childish wonder and awe on the riches and wisdom of Sidon and Egypt. From what causes, and by what gradations, their feelings underwent a change, it is not easy to determine. Their history, from the Trojan to the Persian war, is covered with an obscurity broken only by dim and scattered gleams of truth. But it is certain that a great alteration took place. They regarded themselves as a separate people. They had common religious rites, and common principles of public law, in which foreigners had no part. In all their political systems, monarchical, aristocratical, and democratical, there was a strong family likeness. After the retreat of Xerxes and the fall of Mardonius, national pride rendered the separation between the Greeks and the barbarians complete. The conquerors considered themselves men of a superior breed, men who, in their intercourse with neighbouring nations, were to teach, and not to learn. They looked for nothing out of themselves. They borrowed nothing. They translated nothing. We cannot call to mind a single expression of any Greek writer earlier than the age of Augustus, indicating an opinion, that anything worth reading could be written in any language except his own. The feelings which sprung from national glory were not altogether extinguished by national degradation. They were fondly cherished through ages of slavery and shame. The literature of Rome herself, was regarded with contempt by those who had fled before her arms, and who bowed beneath her fasces. Voltaire says, in one of his six thousand pamphlets, that he was the first person who told the French that England had produced eminent men besides the Duke of Marlborough. Down to a very late period, the Greeks seem to have stood in need of similar information with respect to their masters. With Paulus Æmilius, Sylla, and Cæsar, they were well acquainted. But the notions which they entertained respecting Cicero and Virgil were, probably, not unlike those which Boileau may have formed about Shakspeare. Dionysius lived in the most splendid age of Latin poetry and eloquence. He was a critic, and, after the manner of his age, an able critic. He studied the language of Rome, associated with its learned men, and compiled its history. Yet he seems to have thought its literature valuable only for the

purpose of illustrating its antiquities. His reading appears to have been confined to its public records, and to a few old annalists. Once, and but once, if we remember rightly, he quotes Ennius, to solve a question of etymology. He has written much on the art of oratory: yet he has not mentioned the name of Cicero.

The Romans submitted to the pretensions of a race which they despised. Their epic poet, while he claimed for them pre-eminence in the arts of government and war, acknowledged their inferiority in taste, eloquence, and science. Men of letters affected to understand the Greek language better than their own. Pomponius preferred the honour of becoming an Athenian, by intellectual naturalization, to all the distinctions which were to be acquired in the political contests of Rome. His great friend composed Greek poems and memoirs. It is well known that Petrarch considered that beautiful language in which his sonnets are written, as a barbarous jargon, and intrusted his fame to those wretched Latin hexameters, which, during the last four centuries, have scarcely found four readers. Many eminent Romans appear to have felt the same contempt for their native tongue as compared with the Greek. The prejudice continued to a very late period. Julian was as partial to the Greek language as Frederic the Great to the French: and it seems that he could not express himself with elegance in the dialect of the state which he ruled.

Even those Latin writers who did not carry this affectation so far, looked on Greece as the only fount of knowledge. From Greece they derived the measures of their poetry, and indeed, all of poetry that can be imported. From Greece they borrowed the principles and the vocabulary of their philosophy. To the literature of other nations they do not seem to have paid the slightest attention. The sacred books of the Hebrews, for example, books which, considered merely as human compositions, are invaluable to the critic, the antiquarian, and the philosopher, seem to have been utterly unnoticed by them. The peculiarities of Judaism, and the rapid growth of Christianity, attracted their notice. They made war against the Jews. They made laws against the Christians. But they never opened the books of Moses. Juvenal quotes the Pentateuch with censure. The author of the treatise on 'the Sublime' quotes it with praise: but both of them quote it erroneously. When we consider what sublime poetry, what curious history, what striking and peculiar views of the Divine nature, and of the social duties of men, are to be found in the Jewish scriptures; when we consider that two sects on which the attention of the government was con-

stantly fixed, appealed to these scriptures as the rule of their faith and practice, this indifference is astonishing. The fact seems to be, that the Greeks admired only themselves, and that the Romans admired only themselves and the Greeks. Literary men turned away with disgust from modes of thought and expression so widely different from all that they had been accustomed to admire. The effect was narrowness and sameness of thought. Their minds, if we may so express ourselves, bred in and in, and were accordingly cursed with barrenness, and degeneracy. No extraneous beauty or vigour was engrafted on the decaying stock. By an exclusive attention to one class of phenomena, by an exclusive taste for one species of excellence, the human intellect was stunted. Occasional coincidences were turned into general rules. Prejudices were confounded with instincts. On man, as he was found in a particular state of society—on government, as it had existed in a particular corner of the world, many just observations were made; but of man as man, or government as government, little was known. Philosophy remained stationary. Slight changes, sometimes for the worse and sometimes for the better, were made in the superstructure. But nobody thought of examining the foundations.

The vast despotism of the Cæsars, gradually effacing all national peculiarities, and assimilating the remotest provinces of the Empire to each other, augmented the evil. At the close of the third century after Christ, the prospects of mankind were fearfully dreary. A system of etiquette, as pompously frivolous as that of the Escurial, had been established. A sovereign almost invisible; a crowd of dignitaries minutely distinguished by badges and titles; rhetoricians who said nothing but what had been said ten thousand times; schools in which nothing was taught but what had been known for ages,—such was the machinery provided for the government and instruction of the most enlightened part of the human race. That great community was then in danger of experiencing a calamity far more terrible than any of the quick, inflammatory, destroying maladies, to which nations are liable,—a tottering, drivelling, paralytic longevity, the immortality of the Struldbrugs, a Chinese civilization. It would be easy to indicate many points of resemblance between the subjects of Diocletian, and the people of that Celestial Empire where, during many centuries, nothing has been learned or unlearned; where government, where education, where the whole system of life is a ceremony; where knowledge forgets to increase and multiply, and, like the talent

buried in the earth, or the pound wrapped up in the napkin, experiences neither waste nor augmentation.

The torpor was broken by two great revolutions, the one moral, the other political, the one from within, the other from without. The victory of Christianity over Paganism, considered with relation to this subject only, was of great importance. It overthrew the old system of morals; and with it much of the old system of metaphysics. It furnished the orator with new topics of declamation, and the logician with new points of controversy. Above all, it introduced a new principle, of which the operation was constantly felt in every part of society. It stirred the stagnant mass from the inmost depths. It excited all the passions of a stormy democracy in the quiet and listless population of an overgrown empire. The fear of heresy did what the sense of oppression could not do: it changed men, accustomed to be turned over like sheep from tyrant to tyrant, into devoted partizans and obstinate rebels. The tones of an eloquence which had been silent for ages, resounded from the pulpit of Gregory. A spirit which had been extinguished on the plains of Philippi, revived in Athanasius and Ambrose.

Yet even this remedy was not sufficiently violent for the disease. It did not prevent the empire of Constantinople from relapsing, after a short paroxysm of excitement, into a state of stupefaction, to which history furnishes scarcely any parallel. We there find that a polished society, a society in which a most intricate and elaborate system of jurisprudence was established, in which the arts of luxury were well understood, in which the works of the great ancient writers were preserved and studied, existed for nearly a thousand years without making one great discovery in science, or producing one book which is read by any but curious inquirers. There were tumults, too, and controversies, and wars, in abundance: and these things, bad as they are in themselves, have generally been favourable to the progress of the intellect. But here they tormented without stimulating. The waters were troubled, but no healing influence descended. The agitations resembled the grinnings and writhings of a galvanized corpse, not the struggles of an athletic man.

From this miserable state the Western Empire was saved by the fiercest and most destroying visitation with which God has ever chastened his creatures—the invasion of the Northern nations. Such a cure was required for such a distemper. The Fire of London, it has been observed, was a blessing. It burned down the city, but it burned out the plague. The same may be said of the tremendous devastation of the Roman dominions.

It annihilated the noisome recesses in which lurked the seeds of great moral maladies; it cleared an atmosphere fatal to the health and vigour of the human mind. It cost Europe a thousand years of barbarism to escape the fate of China.

At length the terrible purification was accomplished; and the second civilization of mankind commenced, under circumstances which afforded a strong security that it would never retrograde and never pause. Europe was now a great federal community: Her numerous states were united by the easy ties of international law and a common religion. Their institutions, their languages, their manners, their tastes in literature, their modes of education, were widely different. Their connexion was close enough to allow of mutual observation and improvement, yet not so close as to destroy the idioms of national opinion and feeling.

The balance of moral and intellectual influence thus established between the nations of Europe, is far more important than the balance of political power. Indeed, we are inclined to think that the latter is valuable principally because it tends to maintain the former. The civilized world has thus been preserved from an uniformity of character fatal to all improvement. Every part of it has been illuminated with light reflected from every other. Competition has produced activity where monopoly would have produced sluggishness. The number of experiments in moral science which the speculator has an opportunity of witnessing, has been increased beyond all calculation. Society and human nature, instead of being seen in a single point of view, are presented to him under ten thousand different aspects. By observing the manners of surrounding nations, by studying their literature, by comparing it with that of his own country and of the ancient republics, he is enabled to correct those errors into which the most acute men must fall when they reason from a single species to a genus. He learns to distinguish what is local from what is universal; what is transitory from what is eternal; to discriminate between exceptions and rules; to trace the operation of disturbing causes; to separate those general principles which are always true and everywhere applicable, from the accidental circumstances with which, in every community, they are blended, and with which, in an isolated community, they are confounded by the most philosophical mind.

Hence it is, that, in generalisation, the writers of modern times have far surpassed those of antiquity. The historians of our own country are unequalled in depth and precision of reason; and even in the works of our mere compilers, we of-

ten meet with speculations beyond the reach of Thucydides or Tacitus.

But it must, at the same time, be admitted that they have characteristic faults, so closely connected with their characteristic merits, and of such magnitude, that it may well be doubted whether, on the whole, this department of literature has gained or lost during the last two-and-twenty centuries.

The best historians of later times have been seduced from truth, not by their imagination, but by their reason. They far excel their predecessors in the art of deducing general principles from facts. But unhappily they have fallen into the error of distorting facts to suit general principles. They arrive at a theory from looking at some of the phenomena, and the remaining phenomena they strain or curtail to suit the theory. For this purpose it is not necessary that they should assert what is absolutely false, for all questions in morals and politics are questions of comparison and degree. Any proposition which does not involve a contradiction in terms, may, by possibility, be true; and if all the circumstances which raise a probability in its favour be stated and enforced, and those which lead to an opposite conclusion be omitted or lightly passed over, it may appear to be demonstrated. In every human character and transaction there is a mixture of good and evil—a little exaggeration, a little suppression, a judicious use of epithets, a watchful and searching scepticism with respect to the evidence on one side, a convenient credulity with respect to every report or tradition on the other, may easily make a saint of Laud, or a tyrant of Henry the Fourth.

This species of misrepresentation abounds in the most valuable works of modern historians. Herodotus tells his story like a slovenly witness, who, heated by partialities and prejudices, unacquainted with the established rules of evidence, and uninstructed as to the obligations of his oath, confounds what he imagines with what he has seen and heard, and brings out facts, reports, conjectures, and fancies, in one mass. Hume is an accomplished advocate: Without positively asserting much more than he can prove, he gives prominence to all the circumstances which support his case; he glides lightly over those which are unfavourable to it; his own witnesses are applauded and encouraged; the statements which seem to throw discredit on them are controverted; the contradictions into which they fall are explained away; a clear and connected abstract of their evidence is given. Everything that is offered on the other side is scrutinized with the utmost severity;—every suspicious circumstance is a ground for comment and invective; what cannot be

denied is extenuated, or passed by without notice; concessions even are sometimes made—but this insidious candour only increases the effect of the vast mass of sophistry.

We have mentioned Hume, as the ablest and most popular writer of his class; but the charge which we have brought against him is one to which all our most distinguished historians are in some degree obnoxious. Gibbon, in particular, deserves very severe censure. Of all the numerous culprits, however, none is more deeply guilty than Mr Mitford. We willingly acknowledge the obligations which are due to his talents and industry. The modern historians of Greece had been in the habit of writing as if the world had learned nothing new during the last sixteen hundred years. Instead of illustrating the events which they narrated, by the philosophy of a more enlightened age, they judged of antiquity by itself alone. They seemed to think that notions, long driven from every other corner of literature, had a prescriptive right to occupy this last fastness. They considered all the ancient historians as equally authentic. They scarcely made any distinction between him who related events at which he had himself been present, and him who five hundred years after composed a philosophic romance for a society which had in the interval undergone a complete change. It was all Greek, and all true! The centuries which separated Plutarch from Thucydides seemed as nothing to men who lived in an age so remote. The distance of time produced an error similar to that which is sometimes produced by distance of place. There are many good ladies who think that all the people in India live together, and who charge a friend setting out for Calcutta with kind messages to Bombay. To Rollin and Barthelemi, in the same manner, all the classics were contemporaries.

Mr Mitford certainly introduced great improvements; he showed us that men who wrote in Greek and Latin sometimes told lies; he showed us that ancient history might be related in such a manner as to furnish not only allusions to school-boys, but important lessons to statesmen. From that love of theatrical effect and high-flown sentiment which had poisoned almost every other work on the same subject, his book is perfectly free. But his passion for a theory as false, and far more ungenerous, led him substantially to violate truth in every page. Statements unfavourable to democracy are made with unhesitating confidence, and with the utmost bitterness of language. Every charge brought against a monarch, or an aristocracy, is sifted with the utmost care. If it cannot be denied, some palliating supposition is suggested, or we are at least reminded that some circumstances now unknown *may* have justified what at

present appears unjustifiable. Two events are reported by the same author in the same sentence; their truth rests on the same testimony; but the one supports the darling hypothesis, and the other seems inconsistent with it. The one is taken and the other is left.

The practice of distorting narrative into a conformity with theory, is a vice not so unfavourable as at first sight it may appear, to the interests of political science. We have compared the writers who indulge in it to advocates; and we may add, that their conflicting fallacies, like those of advocates, correct each other. It has always been held, in the most enlightened nations, that a tribunal will decide a judicial question most fairly, when it has heard two able men argue, as unfairly as possible, on the two opposite sides of it; and we are inclined to think that this opinion is just. Sometimes, it is true, superior eloquence and dexterity will make the worse appear the better reason; but it is at least certain that the judge will be compelled to contemplate the case under two different aspects. It is certain that no important consideration will altogether escape notice.

This is at present the state of history. The poet Laureate appears for the Church of England, Lingard for the Church of Rome. Brodie has moved to set aside the verdicts obtained by Hume; and the cause in which Mitford succeeded, is, we understand, about to be reheard. In the midst of these disputes, however, history proper, if we may use the term, is disappearing. The high, grave, impartial summing up of Thucydides is nowhere to be found.

While our historians are practising all the arts of controversy, they miserably neglect the art of narration, the art of interesting the affections, and presenting pictures to the imagination. That a writer may produce these effects without violating truth, is sufficiently proved by many excellent biographical works. The immense popularity which well-written books of this kind have acquired, deserves the serious consideration of historians. Voltaire's Charles the Twelfth, Marmontel's Memoirs, Boswell's Life of Johnson, Southey's account of Nelson, are perused with delight by the most frivolous and indolent. Whenever any tolerable book of the same description makes its appearance, the circulating libraries are mobbed; the book societies are in commotion; the new novel lies uncut; the magazines and newspapers fill their columns with extracts. In the meantime histories of great empires, written by men of eminent ability, lie unread on the shelves of ostentatious libraries.

The writers of history seem to entertain an aristocratical con-

tempt for the writers of memoirs. They think it beneath the dignity of men who describe the revolutions of nations, to dwell on the details which constitute the charm of biography. They have imposed on themselves a code of conventional decencies, as absurd as that which has been the bane of the French drama. The most characteristic and interesting circumstances are omitted or softened down, because, as we are told, they are too trivial for the majesty of history. The majesty of history seems to resemble the majesty of the poor King of Spain, who died a martyr to ceremony, because the proper dignitaries were not at hand to render him assistance.

That history would be more amusing if this etiquette were relaxed, will, we suppose, be acknowledged. But would it be less dignified, or less useful? What do we mean, when we say that one past event is important, and another insignificant? No past event has any intrinsic importance. The knowledge of it is valuable only as it leads us to form just calculations with respect to the future. A history which does not serve this purpose, though it may be filled with battles, treaties, and commotions, is as useless as the series of turnpike-tickets collected by Sir Matthew Mite.

Let us suppose that Lord Clarendon, instead of filling hundreds of folio pages with copies of state papers, in which the same assertions and contradictions are repeated, till the reader is overpowered with weariness, had condescended to be the Boswell of the Long Parliament. Let us suppose that he had exhibited to us the wise and lofty self-government of Hampden, leading while he seemed to follow, and propounding unanswerable arguments in the strongest forms, with the modest air of an inquirer anxious for information; the delusions which misled the noble spirit of Vane; the coarse fanaticism which concealed the yet loftier genius of Cromwell, destined to control a mutinous army and a factious people, to abase the flag of Holland, to arrest the victorious arms of Sweden, and to hold the balance firm between the rival monarchies of France and Spain. Let us suppose that he had made his Cavaliers and Roundheads talk in their own style; that he had reported some of the ribaldry of Rupert's pages, and some of the cant of Harrison and Fleetwood. Would not his work in that case have been more interesting? Would it not have been more accurate?

A history, in which every particular incident may be true, may on the whole be false. The circumstances which have most influence on the happiness of mankind, the changes of manners and morals, the transition of communities from poverty to wealth, from knowledge to ignorance, from ferocity to human-

ity—these are, for the most part, noiseless revolutions. Their progress is rarely indicated by what historians are pleased to call important events. They are not achieved by armies, or enacted by senates. They are sanctioned by no treaties, and recorded in no archives. They are carried on in every school, in every church, behind ten thousand counters, at ten thousand firesides. The upper current of society presents no certain criterion by which we can judge of the direction in which the under current flows. We read of defeats and victories. But we know that nations may be miserable amidst victories, and prosperous amidst defeats. We read of the fall of wise ministers, and of the rise of profligate favourites. But we must remember how small a proportion the good or evil effected by a single statesman can bear to the good or evil of a great social system.

Bishop Watson compares a geologist to a gnat mounted on an elephant, and laying down theories as to the whole internal structure of the vast animal, from the phenomena of the hide. The comparison is unjust to the geologists; but it is very applicable to those historians who write as if the body politic were homogeneous, who look only on the surface of affairs, and never think of the mighty and various organization which lies deep below.

In the works of such writers as these, England, at the close of the Seven Years' War, is in the highest state of prosperity: At the close of the American war she is in a miserable and degraded condition; as if the people were not on the whole as rich, as well governed, and as well educated, at the latter period as at the former. We have read books called Histories of England, under the reign of George the Second, in which the rise of Methodism is not even mentioned. A hundred years hence this breed of authors will, we hope, be extinct. If it should still exist, the late ministerial interregnum will be described in terms which will seem to imply that all government was at an end; that the social contract was annulled, and that the hand of every man was against his neighbour, until the wisdom and virtue of the new cabinet educed order out of the chaos of anarchy. We are quite certain that misconceptions as gross, prevail at this moment, respecting many important parts of our annals.

The effect of historical reading is analogous, in many respects, to that produced by foreign travel. The student, like the tourist, is transported into a new state of society. He sees new fashions. He hears new modes of expression. His mind is enlarged by contemplating the wide diversities of laws, of morals, and of manners. But men may travel far, and return with

minds as contracted as if they had never stirred from their own market-town. In the same manner, men may know the dates of many battles, and the genealogies of many royal houses, and yet be no wiser. Most people look at past times, as princes look at foreign countries. More than one illustrious stranger has landed on our island amidst the shouts of a mob, has dined with the King, has hunted with the master of the stag-hounds, has seen the Guards reviewed, and a knight of the garter installed; has cantered along Regent Street; has visited St Paul's, and noted down its dimensions, and has then departed, thinking that he has seen England. He has, in fact, seen a few public buildings, public men, and public ceremonies. But of the vast and complex system of society, of the fine shades of national character, of the practical operation of government and laws, he knows nothing. He who would understand these things rightly, must not confine his observations to palaces and solemn days. He must see ordinary men as they appear in their ordinary business and in their ordinary pleasures. He must mingle in the crowds of the exchange and the coffee-house. He must obtain admittance to the convivial table and the domestic hearth. He must bear with vulgar expressions. He must not shrink from exploring even the retreats of misery. He who wishes to understand the condition of mankind in former ages, must proceed on the same principle. If he attends only to public transactions, to wars, congresses, and debates, his studies will be as unprofitable as the travels of those imperial, royal, and serene sovereigns, who form their judgment of our island from having gone in state to a few fine sights, and from having held formal conferences with a few great officers.

The perfect historian is he in whose work the character and spirit of an age is exhibited in miniature. He relates no fact, he attributes no expression to his characters, which is not authenticated by sufficient testimony. But by judicious selection, rejection, and arrangement, he gives to truth those attractions which have been usurped by fiction. In his narrative a due subordination is observed; some transactions are prominent, others retire. But the scale on which he represents them is increased or diminished, not according to the dignity of the persons concerned in them, but according to the degree in which they elucidate the condition of society and the nature of man. He shows us the court, the camp, and the senate. But he shows us also the nation. He considers no anecdote, no peculiarity of manner, no familiar saying, as too insignificant for his notice, which is not too insignificant to illustrate the operation of laws, of religion, and of education, and to mark the progress of the

human mind. Men will not merely be described, but will be made intimately known to us. The changes of manners will be indicated, not merely by a few general phrases, or a few extracts from statistical documents, but by appropriate images presented in every line.

If a man, such as we are supposing, should write the history of England, he would assuredly not omit the battles, the sieges, the negotiations, the seditions, the ministerial changes. But with these he would intersperse the details which are the charm of historical romances. At Lincoln Cathedral there is a beautiful painted window, which was made by an apprentice out of the pieces of glass which had been rejected by his master. It is so far superior to every other in the church, that, according to the tradition, the vanquished artist killed himself from mortification. Sir Walter Scott, in the same manner, has used those fragments of truth which historians have scornfully thrown behind them, in a manner which may well excite their envy. He has constructed out of their gleanings works which, even considered as histories, are scarcely less valuable than theirs. But a truly great historian would reclaim those materials which the novelist has appropriated. The history of the government, and the history of the people, would be exhibited in that mode in which alone they can be exhibited justly, in inseparable conjunction and intermixture. We should not then have to look for the wars and votes of the Puritans in Clarendon, and for their phraseology in Old Mortality; for one half of King James in Hume, and for the other half in the Fortunes of Nigel.

The early part of our imaginary history, would be rich with colouring from romance, ballad, and chronicle. We should find ourselves in the company of knights such as those of Froissart, and of pilgrims such as those who rode with Chaucer from the Tabard. Society would be shown from the highest to the lowest,—from the royal cloth of state to the den of the outlaw; from the throne of the Legate, to the chimney-corner where the begging friar regaled himself. Palmers, minstrels, crusaders,—the stately monastery, with the good cheer in its refectory, and the high-mass in its chapel,—the manor-house, with its hunting and hawking,—the tournament, with the heralds and ladies, the trumpets and the cloth of gold,—would give truth and life to the representation. We should perceive, in a thousand slight touches, the importance of the privileged burgher, and the fierce and haughty spirit which swelled under the collar of the degraded villain. The revival of letters would not merely be described in a few magnificent periods. We should discern, in innumerable particulars, the fermentation of mind, the eager appe-

tite for knowledge, which distinguished the sixteenth from the fifteenth century. In the Reformation we should see, not merely a schism which changed the ecclesiastical constitution of England, and the mutual relations of the European powers, but a moral war which raged in every family, which set the father against the son, and the son against the father, the mother against the daughter, and the daughter against the mother. Henry would be painted with the skill of Tacitus. We should have the change of his character from his profuse and joyous youth, to his savage and imperious old age. We should perceive the gradual progress of selfish and tyrannical passions, in a mind not naturally insensible or ungenerous; and to the last we should detect some remains of that open and noble temper which endeared him to a people whom he oppressed, struggling with the hardness of despotism, and the irritability of disease. We should see Elizabeth in all her weakness, and in all her strength, surrounded by the handsome favourites whom she never trusted, and the wise old statesmen, whom she never dismissed, uniting in herself the most contradictory qualities of both her parents,—the coquetry, the caprice, the petty malice of Anne,—the haughty and resolute spirit of Henry. We have no hesitation in saying, that a great artist might produce a portrait of this remarkable woman, at least as striking as that in the novel of Kenilworth, without employing a single trait not authenticated by ample testimony. In the meantime, we should see arts cultivated, wealth accumulated, the conveniences of life improved. We should see the keeps, where nobles, insecure themselves, spread insecurity around them, gradually giving place to the halls of peaceful opulence, to the oriels of Longleat, and the stately pinnacles of Burleigh. We should see towns extended, deserts cultivated, the hamlets of fishermen turned into wealthy havens, the meal of the peasant improved, and his hut more commodiously furnished. We should see those opinions and feelings which produced the great struggle against the house of Stuart slowly growing up in the bosom of private families, before they manifested themselves in parliamentary debates. Then would come the Civil War. Those skirmishes, on which Clarendon dwells so minutely, would be told, as Thucydides would have told them, with perspicuous conciseness. They are merely connecting links. But the great characteristics of the age, the loyal enthusiasm of the brave English gentry, the fierce licentiousness of the swearing, dicing, drunken reprobates, whose excesses disgraced the royal cause,—the austerity of the Presbyterian Sabbaths in the city, the extravagance of the independent preachers in the camp, the precise garb, the severe

countenance, the petty scruples, the affected accent, the absurd names and phrases which marked the Puritans,—the valour, the policy, the public spirit, which lurked beneath these ungraceful disguises, the dreams of the raving Fifth-monarchy-man, the dreams, scarcely less wild, of the philosophic republican,—all these would enter into the representation, and render it at once more exact and more striking.

The instruction derived from history thus written, would be of a vivid and practical character. It would be received by the imagination as well as by the reason. It would be not merely traced on the mind, but branded into it. Many truths, too, would be learned, which can be learned in no other manner. As the history of states is generally written, the greatest and most momentous revolutions seem to come upon them like supernatural inflictions, without warning or cause. But the fact is, that such revolutions are almost always the consequences of moral changes, which have gradually passed on the mass of the community, and which ordinarily proceed far, before their progress is indicated by any public measure. An intimate knowledge of the domestic history of nations, is therefore absolutely necessary to the prognosis of political events. A narrative, defective in this respect, is as useless as a medical treatise, which should pass by all the symptoms attendant on the early stage of a disease, and mention only what occurs when the patient is beyond the reach of remedies.

A historian, such as we have been attempting to describe, would indeed be an intellectual prodigy. In his mind, powers, scarcely compatible with each other, must be tempered into an exquisite harmony. We shall sooner see another Shakspeare or another Homer. The highest excellence to which any single faculty can be brought, would be less surprising than such a happy and delicate combination of qualities. Yet the contemplation of imaginary models is not an unpleasant or useless employment of the mind. It cannot indeed produce perfection, but it produces improvement, and nourishes that generous and liberal fastidiousness, which is not inconsistent with the strongest sensibility to merit, and which, while it exalts our conceptions of the art, does not render us unjust to the artist.

Art. IV.—*Personal Narrative of a Journey from India to England, by Bussorah, Bagdad, the Ruins of Babylon, Curdistan, the Court of Persia, the Western Shore of the Caspian Sea, Astrakhan, Nishney Novogorod, Moscow, and St Petersburgh, in the Year* 1824. *By Captain the Hon. George Keppel.* pp. 350. 4to. London. Colburn, 1827.

It is a circumstance most honourable to the British army, and of the highest importance to the country, that it occupies now a strong position in the republic of letters. Many works, of standard value, have lately proceeded from our fellow-citizens in the profession of arms. Their improved education now enables them to partake in those pursuits, to which the prevailing taste of the times directs the attention of all classes; and enjoying, from the nature of their employment, many opportunities of adding to the stock of public information, they are able to avail themselves of those facilities, and to record, for the benefit of mankind, facts, which, in less civilized times, would have been lost, and observations that never would have been made, or, if made, would speedily have been forgotten. The volume before us deserves to be ranked among those useful contributions. The author, though a young, is an intelligent and well-informed officer, who, after serving in the most remarkable campaigns of modern times, repaired on the peace to India, and was obliged to return by ill health. He took the overland route, in the company of some friends, accomplished and active like himself; and with the truly praise-worthy ambition of literary distinction, he has recorded the remarkable particulars of his long and perilous journey.

We will frankly own that to our minds, as lovers of the English constitution, and as venerating the memory of the great men to whose immortal services in times past we owe its foundation, as we do its conservation to their descendants, this volume possesses a peculiar interest. We cannot but love to owe instruction and entertainment to the nearest kindred of the Keppels, the Russells, and the Cokes,—to whom we are debtors in obligations of a high order, never to be forgotten or repaid. But if such considerations increase our satisfaction at the worth of the literary contribution now before us, we must say that instead of blinding us to its defects, they would rather make us more quick-sighted for their detection, and that in discharging our public duty as literary censors, we should at the utmost

only have passed over such an incident in silence. Captain Keppel has fortunately no occasion to invoke the aid of any accidental associations; and to show that we mean to treat him with no partiality, we shall begin by objecting to the very first word of his book—'*Personal* Narrative.' This is an affected, if not an incorrect title. Every narrative of a man's journey is necessarily personal. But we know how he has been led into the use of this phrase. The first of modern travellers, the celebrated Humboldt, gave the world a volume of Travels, which he termed '*Personal Narratives.*' But it was because he had previously published the results of his observations upon the countries he visited, without any account of his own adventures. All other Travels have ever been personal, from the nature of the thing; and so must all such narratives be, unless in the peculiar circumstances in which his earlier volumes were composed.*

The best and fairest way of treating this work, is to lay before the reader an account of the contents. But we may premise, that it is written throughout in a lively and simple manner, well fitted to sustain the reader's attention. It is without any affectation; and the learning it abounds with is as free from pedantry, as the style is from presumption or conceit. The work of an accomplished and well-educated gentleman, it is of sufficiently solid materials to satisfy the demands of a scholar; and no pains are spared to bring together upon each subject the information tending to its illustration, from ancient and modern sources. Mr Hamilton, one of the party, has contributed very excellent drawings; and whether for entertainment or instruction, the volume unquestionably deserves the place which it has already obtained among books of Travels. The edition before us has the sin upon its head, which 'does most easily beset' such works in these days; it is far too dear; but this fault has since been corrected, as is usual, by the subsequent publication of an octavo edition for more general use.

Captain Keppel and his friends, having met at Bombay, from various parts of India, agreed to perform the overland journey together. They were conveyed to Bussorah by sea in a king's ship, the Alligator, through the kindness of Captain Alexander,

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* We have heard a *bon mot* on the subject, by a great lawyer in the sister kingdom, who, when asked by the Viceroy what Captain Keppel meant by '*Personal Travels,*' replied, that lawyers were wont to use this word in contradistinction to '*Real.*' We hope this joke may put an end to the conceit in question.

and had for fellow-passenger a dignitary of the Persian court, his highness Futteh Ali Khan, by descent son of Lootf Ali, the last king of the Zund dynasty, and in his own person an eunuch of his brother-in-law's seraglio. His highness had been on a visit to our government at Calcutta, where he so much approved of his entertainment, that there appears to have been some difficulty in prevailing upon him (we believe '*humbly advising*' is the technical phrase) to return—but ill health powerfully enforced whatever hints may have been given, and he was now upon his way homeward. Our author notes a compliment which he paid to the English nation, when discussing the value of the steam-boats. 'When arts were in their infancy,' said he, 'it was 'natural to give the Devil credit for any new invention; but now, 'so advanced are the English in every kind of improvement, that 'they are more than a match for the Devil himself.' The first place of importance at which they touch is Muscat, where they are kindly received by the Imaum, a gracious prince, exceedingly beloved by his subjects, and popular also with strangers. His manner of succeeding, no doubt, was a little licentious in point of morality. When about sixteen years of age, he conceived a discontent with his uncle, the former Imaum. The reason is not stated; nor do we apprehend, that except the act of living, which seems to have been regarded as a continued insult, any part of his late highness's conduct was blameable. The nephew, however, could no longer bear this treatment; and proposing a ride one morning, got behind the sovereign, and without further ceremony slew him with his scymitar; he then did not continue his airing, but returned to town, and proclaimed himself Imaum without any opposition. 'As to the mere act 'of murdering his relative, it is held in the light of a "family 'difference," and is no bar to his standing well in public es'timation, as a prince of a mild and peaceable demeanour.' Another less unpleasing anecdote is subjoined.

'In quitting the Imaum I must not forget to mention an anecdote of the man who admitted us into the court, his bold countenance having particularly attracted our attention. He was for many years one of the most formidable of the famous Wahhabbee pirates, whose successful depredations struck terror throughout these seas, and threatened the total extinction of the Imaum's power. A reverse of fortune led him to offer his services to the Imaum: they were immediately accepted, and the pirate was not ungrateful. In the action of Beneeboo-Ali, his Highness was deserted by his troops, was wounded in the wrist, and would have been taken prisoner, but for the exertions of his former foe, who alone remained faithful to him. Ever since that time, he has held a confidential situation about his person.'

These, and the like peculiarities of Eastern courts, abound in such works as this. Of course, anything like murders committed by royal and princely hands, are wholly unknown in Europe; and, among the English at least, it is quite certain, that any foreign prince known to have been guilty of an assassination, never could be permitted to land, much less be received with favour, either by the well or the ill-dressed mob of our towns. But the perpetration of such acts, is not the only characteristic of Oriental despotism; there are other enormities so hurtful to the interests, and so utterly degrading to the character of the people, that the English reader must regard with infinite pity, the nation which is subject to them.

The magnificent ideas which the style of Eastern story gives us of the famous places in Persia, and Arabia, receive a woful correction from the matter-of-fact details of travellers; but in no instance is there such an abatement required as at Bussorah.

'After breakfast, we received a visit from the Sheikh, or Chief of Dirhemmia, who begged us to pay him a visit. His residence was of the general appearance of an Arab chieftain's. It was inclosed within a mud fort, and, considering its situation in a sandy desert, certainly did great credit to the projector. The name Dirhemmia is derived from Dirhem, a small coin, signifying the expense the building occasioned. In taking us round the premises, it was easy to see that our host expected unqualified approbation of everything he showed us. That upon which he seemed most to pride himself, were his large reservoirs of water, a characteristic of the value the desert Arab attaches to this first necessary of life. He next took us round the fortifications, which, as he seemed to appeal to us for an opinion, we pronounced to be tajoob, (wonderful,) though we would scarcely have trusted our backs against the battlements.

'The city of Bussorah is inclosed within a wall, eight miles in circumference. Of this space, the greatest portion is laid out in gardens and plantations of date trees. It is traversed throughout by numerous canals, supplied by the Euphrates, into which they empty themselves at every turn of tide. The abundance of water, besides irrigating the gardens, which it does effectually, might also be the means of keeping the town clean, were there not in the inhabitants an innate love of filth. Bussorah is the dirtiest town even in the Turkish dominions. The streets, which are narrow and irregular, are almost insupportable from the stench. Some houses are built of kiln-burnt bricks, but the greater number are of mud. From these project several long spouts made of the body of the date tree, which convey filth of every description into the streets, so that a passenger is in frequent danger of an Edinburgh salutation, without the friendly caution of *Gardez loo.*

'The old bazaar is extremely mean. Rafters are laid across the top, and covered with ragged mats, which prove but a poor protection against the heat of the sun. Throughout the bazaar we observed numerous coffee-

houses; they are spacious unfurnished apartments, with benches of masonry built round the walls, and raised about three feet from the ground. On these are placed mats; at the bar are ranged numerous coffee-pots, and pipes of different descriptions. It is customary for every smoker to bring his own tobacco. These houses were principally filled by Janizaries, who were puffing clouds from their pipes in true Turkish taciturnity.

'The principal trade is with our Indian possessions, which, with the exception of a few English ships, is confined to Arabian vessels. The return for the articles with which we furnish them, are pearls, horses, copper, dates, and raw silk. The population is estimated at sixty thousand, principally Arabs, Turks, and Armenians; but I have no doubt, that on a close inquiry, there would be found natives of every country in Asia. Dates are the principal production here; there are, besides, quantities of rice, wheat, barley, and abundance of fruits and vegetables.'

Our author and his companions quitted the ship at Bussorah, and proceeded in a boat. The following lively passage, gives the description of their first interview with the Arabs of the desert.

'The village was a collection of about fifty mat huts, with pent roofs, from thirty to sixty feet long. The frame of the huts somewhat resembled the ribs of a ship inverted. It was formed of bundles of reeds tied together; the mat covering was of the leaves of the date tree. An old Mussulman tomb stands on a mound at the south end of the village, and is the only building in which any other material than reed and date leaves have been employed.

'When we reached the banks of the river, we had to wait for our boat, which was tracking round a headland, and was still at some distance from us; so we stood with our backs to the water to prevent any attack from the rear. In the meantime crowds of the inhabitants continued to press forward. As their numbers were greatly superior to ours, and their demeanour rather equivocal, we tried by our manners to show as little distrust of them as possible; not so our guards, who, from being of the same profession of these marauders, treated them with less ceremony, and stood by us the whole time with their guns loaded and cocked, their fingers on the triggers, and the muzzles presented towards the crowd. Some of the Arabs occasionally came forward to look at our fire-arms, particularly our double-barrelled guns, but whenever they attempted to touch them, were always repulsed by our guard, who kept them at a distance. In the midst of this curious interview, the sheikh, or chief of the village, a venerable-looking old man with a long white beard, came, accompanied by two others, and brought us a present of a sheep; for which, according to custom, we gave double its value in money. The sheikh's arrival, and our pecuniary acknowledgment of his present, seemed to be an earnest of amity, as the crowd, by his directions, retired to a small distance, and formed themselves into a semicircle—himself and his two friends sitting about four yards in front.

'The scene to us was of the most lively interest. Around us, as far as the eye could reach, was a trackless desert; to our left was the rude village of the wanderers, and immediately in the foreground were the pri-

mitive inhabitants, unchanged, probably, in dress, customs, or language since the time of the "wild man" Ishmael, their ancestor. There was little variety in the dress of the men—a large brown shirt with open sleeves, extending to the knee, and bound round the loins with a leathern girdle, formed their principal, and sometimes only habiliment; a few wore the handkerchief or turban. They were armed either with long spears or massive clubs. The dress of the females was also a loose shirt, but not being bound at the waist, it left he person considerably exposed. Some of the women had rings in their noses, others wore necklaces of silver coins, and the hair of several of the girls was divided into long plaits, and completely studded with coins; they were all more or less tattooed on the face, hands, and feet, and some were marked on the ankles with punctures resembling the clock of a stocking. This valley is called Goomruk, and its inhabitants are notorious robbers: they are subject to the sheikh of Montefeikh.'

The dread of robbers, which in other countries is so gratuitous a pain to the way-faring man, and such a source of authority, if not profit also, to his guide, has a very solid foundation in a country where whole tribes give themselves up to a life of indiscriminate plunder. Yet, even in Arabia, our travellers found the danger less than was represented, partly, no doubt, owing to their own courage and spirit. Working up against the stream and the windings of a river, the robbers had every opportunity for successfully attacking them. Once they came in the night into an encampment of renowned plunderers, who were on the move, for all their tents save eight or ten were struck. They challenged our gallant countrymen, demanding why they travelled so late, and what their bark was laden with? The Captain Aboo Nasir, made answer for them, 'that they had troops 'on board, were going on their journey, and were laden with '*fire*, with which they should accommodate the querists if they 'did not leave the bank;' a hint which proved instantaneously effectual.

The excellent adaptation of the soil for building, in many parts of the country, is known, but perhaps has not been sufficiently estimated.

'The soil of ancient Assyria and Babylonia consists of a fine clay, mixed with sand, with which, as the waters of the river retire, the shores are covered. This compost, when dried by the heat of the sun, becomes a hard and solid mass, and forms the finest material for the beautiful bricks for which Babylon was so celebrated. We all put to the test the adaptation of this mud for pottery, by taking some of it while wet from the bank of the river, and then moulding it into any form we pleased. Having been exposed to the sun for half an hour, it became as hard as stone. These remarks are important, as the indication of buildings throughout this region are different from those of other countries, the universal substitution of brick for stone being observable in all the numerous

ruins that we visited, including those of the great cities of Seleucia, Ctesiphon, and of the mighty Babylon herself, for which we have the authority of Scripture, that her builders "had brick for stone, and slime had they "for mortar." '*

While at Bagdad, the author and his friend undertook an expedition to Babylon, the account of which is given in a very interesting and lively manner. Among other incidents on the way, they fell in with various caravans of Persian pilgrims.

'The higher class of Persians were generally mounted on good horses, unencumbered by any burden, except the apparatus of the kuleon, or Persian pipe. Two or three servants, mounted on horses lightly laden with baggage, formed the *suite* of one person. The equipages are always very light—a Persian rejecting, as superfluous, many travelling articles that would with us be deemed indispensable. The bed, for instance, is a small carpet of the size of a hearth-rug.

'In each caravan, the women comprised about a third of the party. The wives of the rich rode astride on horses; those of the poorer class were either placed on the baggage-cattle, or seated in a pair of covered panniers slung across a mule—one woman in each pannier. The most remarkable, and not the least numerous part of this assemblage, was the crowd of defunct Shiahs, whose corpses were going to be buried at the tomb of the patron Saint. These bodies were enclosed in common wooden coffins, in shape and size not unlike those used by the lower orders in England: two of them were slung across one mule. One man had generally the charge of six or eight bodies.

'The men who convey these corpses to Meshed Ali are not the relations of the deceased parties, but persons who gain a livelihood by this peculiar occupation.

'No order of march seemed to be observed by the caravans—the living and dead were indiscriminately jumbled together. Often, when halted for the night, the coffins were thrown down in the first vacant space in the caravanserai, and the bodies, though embalmed, were not so impervious to a burning sun as to be free from a most disagreeable smell. According to Niebuhr, two thousand dead and five thousand living annually go to Meshed Ali. Besides the corpses which come direct from Persia for interment, many are brought from India for the same purpose.'

The adaptation of the clay in this country for building, accounts at once for the ease with which vast structures were raised, and the rapidity with which they decayed. We hear of large towns built in a few weeks, and the ruins of even such a city as Babylon, now present hardly the vestige of any building ever having been there. The Tower of Babel was carefully examined by Captain Keppel; it presents the appearance of a large mound or hill, with a castle on the top, in mounting to which, the traveller now and then discovers, through the

* Gen. chap. xi. verse 3.

light sandy soil, that he is treading on a vast heap of bricks. The total circumference of the ruin is 2286 feet, though the building itself was only 2000, allowing 500 to the stadium, which Herodotus assigns as the side of its square. The elevation of the west side is 198 feet. What seemed a castle at a distance, when examined, proves to be a solid mass of kiln-burnt bricks, 37 feet high, and 28 broad. Many fragments of stones, marble, and broken bricks, lie scattered over the ruins; and manifest traces are to be seen not only of violence having been employed to destroy the tower or temple, but of fire having been a chief instrument in the work of destruction. Our travellers found the mound to be a harbouring place for numberless wild beasts, which made the visit a service of some danger. The ruins of Babylon exhibit only an infinite succession of small mounds and hillocks, with here and there a few bricks and other fragments of building. The largest specimen of a structure, is what the workmen call the kasr or palace,—the walls are eight feet thick, of the finest brick, laid in a cement so tenacious that the natives have given up the idea of pulling it to pieces, and using the materials, as they have much of the other buildings; for Hilleh has been built entirely out of this great quarry.

The disappointment experienced by the traveller who visits Bussorah, has been already adverted to. Bagdad is nearly, if not quite, as fallacious to the hopes.

'A traveller coming by water from Bussorah is likely to be much struck with Bagdad on his first arrival. Having been for some time past accustomed to see nothing but a desert—there being no cultivation on that side of the city by which he arrives—he does not observe any change that would warn him of his approach to a populous city. He continues winding up the Tigris through all its numerous headlands, when this once renowned city of gardens bursts suddenly on his sight. Its first view justifies the idea that he is approaching the residence of the renowned Caliph, Haroun Alraschid, in the height of its splendour; a crowd of early associations rushes across his mind, and seems to reduce to reality scenes which, from boyish recollections, are so blended with magic and fairy lore, that he may for a moment imagine himself arrived at the City of the Enchanters.

'Bagdad is surrounded by a battlemented wall; the part towards the palace, as was the case in ancient Babylon, is ornamented with glazed tiles of various colours. The graceful minarets, and the beautifully shaped domes of the mosques, are sure to attract his eye. One or two of these are gaudily decorated with glazed tiles of blue, white, and yellow, which, formed into a mosaic of flowers, reflect the rays of the sun: the variegated foliage of the trees of these numerous gardens,* which most probably

* Bag, or more properly *Baugh*, (the first syllable of the word Baughdad,) signifies *garden*.

have given the name to the city, serve as a beautiful back-ground to the picture. Thus far the traveller is allowed to indulge his reverie; but on entering the walls, his vision is dispelled.

'The walls are of mud: the streets, which are scarcely wide enough to allow two persons to pass, are so empty, that he could almost fancy the inhabitants had died of the plague: he looks upwards—two dead walls meet his eyes; he now enters the bazaar, and finds that he has no reason to complain of want of population; a mass of dirty wretches render his road almost impassable; with some difficulty he jostles through a succession of narrow cloistered passages, traversing each other at right angles; the light, which is admitted by holes a foot in diameter from the top, gives to the sallow features of the crowd below a truly consumptive appearance, agreeing well with the close, hot, fulsome smell of bad ventilation. The traveller, by this time, has seen sufficient to cure him of the dreams of earlier life; and, on arriving at his destination, he makes a woful comparison between the reality of the scenes and the picture imagination had drawn. Such, or nearly such, was the impression first made by my arrival in Bagdad.

'The interior of a house is much more comfortable than its outward appearance would lead you to expect. The residence of Aga Saikeis is not a bad specimen; it consists of a succession of square courts surrounded by galleries, each forming a distinct habitation. In the outer court is a room, or rather a recess, forming three sides of a square, and open towards the front; this, in Persian, is called the Dufter Khoneh, (office,) where the ordinary business of the day is transacted: the second court is somewhat larger, but of a similar structure, in which is also a recess; this is the (*Dewan Khoneh*) audience-room. From the galleries are partitioned off several rooms, some of which we occupied, having windows opening to the court, formed of small diamond-shaped panes of glass of every colour, and disposed in various fantastic shapes: the interior of these chambers is decorated in the same style; the ceiling is composed of a kind of trellice-work describing flowers of different colours. The walls are formed into small arched recesses, of the Arabesque order, and are gilded in a gaudy manner. The number of these courts is increased according to the size of the house; the innermost always comprising the haram, or women's apartments. The few windows that look towards the street, are covered with a frame of lattice-work. During the warm weather, the inhabitants sleep on bedsteads placed on the roofs, which are flat, and surrounded by parapet walls. As some of the roofs are more elevated than others, those occupying the highest can observe the women who dwell in the lower apartments; but a stranger will think well before he indulges his curiosity, as a Turk would feel himself justified in sending a ball through the head of his prying neighbour.'

In his voyage up the Tigris to Bagdad, Major Keppel has fallen into an error in the situation he assigns to Seleucia. He has mistaken some ruins, which lie on the western bank of the Tigris, immediately opposite to Ctesiphon, for the remains of that city, but which we shall presently show are the ruins of *Koché* or *Coché*,—a town built after Seleucia was entirely de-

stroyed. This has also led him to suppose that Seleucia and Ctesiphon were united under the name of Il Modayn,—whereas, it was Ctesiphon and *Koché* which were so united. As this involves a question of some geographical curiosity, we shall bestow a few words on it.

Seleucia was founded 293 years before Christ, by Seleucus Nicator. It lay to the west side of the Tigris, and obtained the name of Seleucia 'on the Tigris,' to distinguish it from the many other Seleucias, and not because it was built upon the banks of that river. It was the most powerful of the cities founded by Seleucus, and from its vicinity to the Euphrates and Tigris, was most favourably situated for commerce. It was peopled from Babylon; and after the entire destruction of that city, it became the capital of the Macedonian conquests in Upper Asia. It was inhabited by Syrians, Macedonians, and Greeks,—its population, according to Pliny, amounting to six hundred thousand inhabitants. It was governed by its own laws like an independent colony, and thus flourished under the protection of a great state, without being subservient to it.

Long after the fall of the Macedonian empire, and while Seleucia still retained its importance, some wandering tribes of Parthians, tempted by the mildness of the climate, fixed their winter residence at Ctesiphon, at that time a small village on the eastern bank of the Tigris, and distant about five miles from Seleucia. The Parthian camp soon attracted vast multitudes to the place, and Ctesiphon, swelling into a vast city, soon became a powerful rival to Seleucia. The arrival of the Roman armies, under Marcus Aurelius, was the commencement of the misfortunes which ended in the final destruction of the Grecian colony. Under the pretext of forming an alliance for the purpose of attacking Ctesiphon, their common enemy, the Romans, having failed in this attempt, treacherously turned their arms against their ally, slew 300,000 of the inhabitants, and plundered the city of everything that was valuable. From this blow Seleucia never recovered. Severus, in the end of the second century, found it deserted like Babylon; and when Julian passed through that country, in his expedition against the Persians, he could only discover a few ruins lying here and there.

We know the *general* situation of Seleucia from Strabo and Pliny, but we are enabled to ascertain its *precise* position from the minute account given by Marcellinus Ammianus, a most accurate historian, and who himself accompanied the army of Julian, lib. xxiv. 2, 3, 4, 5.

It was situated upon the Nahr Malka, or royal canal, which communicates from the Euphrates to the Tigris, in a south-easterly direction; the greater part of the city was on the east side

of the canal, extending along its banks. The figure resembled an eagle with outspread wings,—the long side being parallel to the Nahr Malka, and the most easterly point lying within a mile of the Tigris. From the most southerly point of the city, there went a canal, dug by Trajan, for the purpose of conveying the waters of the Nahr Malka, by a short cut, into the Tigris; and which canal was consequently on the northern side of the Nahr Malka.

In a south-easterly direction from Seleucia, at the distance of three miles, and on the western bank of the Tigris, lay the town of Koché, originally a small village, inhabited by the remnant of the inhabitants of Seleucia, who assembled here after the destruction of their city, but afterwards enlarged and strongly fortified by the Ctesiphonians, so as to become a protection to Ctesiphon against any attack from the western side of the river. The Nahr Malka joined the Tigris a short distance *below* the cities of Koché and Ctesiphon, forming at this point a very acute angle with the river, as we learn from Ptolemy, who says, that 'there was little ground between the canal and the Tigris 'near the point of junction.' We shall be able to verify these situations, by following the operations of the Emperor Julian.

After taking Penzor, a town upon the Euphrates, about 50 miles to the north-west of Ctesiphon, the Roman army marched directly to Ctesiphon, *passing through the ruins of Seleucia, before it reached either the Nahr Malka, or the canal of Trajan.* In the meantime, the Roman fleet, having left the Euphrates, sailed down the Nahr Malka, and cast anchor *above* the point where the canal of Trajan commences. The army was encamped near the ruins of Seleucia, and protected by a ditch and rampart against any attack from the garrison of Koché. If the fleet had proceeded to the Tigris by the Nahr Malka, at the same time that the army marched to Koché by land, Julian would have found himself cut off from his navy, by the intermediate position of Koché and Ctesiphon. Accordingly, he provided against this difficulty, by causing the soldiers to clear out the canal of Trajan, which from neglect had become in a great measure impassable. The waters of the Nahr Malka being intercepted by a strong dyke thrown across its channel, were then poured into the canal of Trajan, and afforded a passage for the fleet, which sailed triumphantly down the Tigris to Ctesiphon, while the army, crossing the canal by a temporary bridge, marched to Koché.*

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* Ammian. xxiv. 6. Plin. vi. 26. Gibbon, iv. 178, et seq.
The positions we have assigned for the respective places abovemen-

This seems to us to decide, in the most satisfactory manner, the relative sites of Seleucia, Ctesiphon, and Koché. There remains only to reconcile the distances which different authors have assigned between those cities. Pliny says Seleucia was three miles from Ctesiphon, and nearly the same distance may be collected from Strabo;* but Ptolemy makes it about twelve miles. Now, if we recollect the vast size of Seleucia, larger than Antioch, according to Strabo, and occupying, in proportion to its population, a much greater space than the largest European cities,—the difficulty of reconciling the two distances of Pliny and Ptolemy, will not be insurmountable. It is only necessary to suppose that Pliny measured from the most northern point of Koché, to the most southern extremity of Seleucia; and that Ptolemy took *his* distance from the centre of Ctesiphon, to that part of Seleucia which extended in a north-westerly direction along the Nahr Malka towards the Euphrates. But be that as it may, the reasons and authorities we have given, fully bear us out in saying, that Seleucia and Koché are perfectly distinct; and that the remains of the former city, if indeed any now exist, must be looked for a distance of three miles *at least* from the city of Ctesiphon.

Upon this subject we have only farther to add, that at a subsequent period Ctesiphon and Koché were united by the Caliph Shapour, under the name of Il Modayn, an Arabic word, signifying the 'Two cities,' and became the winter residence of the Tassanides. In the sixth century, Khosrou, or Chosroes, a descendant of Ardeschir, was crowned at Modayn, and built the palace, the ruins of which are now distinguished by the name of the Tank Kisra, or arch of Chosroes.

Our author left Bagdad, and passing over the ruins of Artemita and Apollonia, which he describes and learnedly illustrates,

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tioned, are further confirmed by Arrian, quoted by Stephanus, Byz. in verb. Κωχη. 'The King travelled *from* Seleucia, which lies not far from 'the Tigris, *to* the village of Koché.' We may also refer to Gregory, (Nanzianzen,) a writer of the fourth century, who describes Koché as a 'strong place opposite to Ctesiphon,' which city he places to the *north* of the point where the Nahr Malka falls into the Tigris. D'Anville, indeed, makes the Nahr Malka fall into the Tigris to the *north* of Ctesiphon, but it is so impossible to reconcile this with the circumstantial account of Ammianus, that, knowing the accuracy of that writer, we can have no hesitation in supposing D'Anville to be mistaken—unless, indeed, he has been deceived by some other canal, which he has taken for the Nahr Malka. D'Anville never was on the spot himself.

* Plin. vi. 136. Strabo, xvi. 743.

he crossed the Diala on a kelluck, or raft of reeds, floating upon inflated sheepskins, and paddled with oars also of reeds, although the river is a hundred yards wide, and very rapid. In passing through the mountainous district of this neighbourhood, they made a narrow escape from robbers; but we will venture to say, that no part of their adventures brought them much nearer to actual peril, and of the worst description, than the following, which we insert as a wholesome caution to all travellers:—

'After these interruptions, we again laid ourselves down to rest, when an incident occurred, which was nearly proving of a tragical nature, and will serve to show the state of watchfulness in which we were.

'It had been our custom every night, previous to sleeping, to examine our arms, and then to place our swords beside us, and our pistols under our pillows.

'I had been asleep about half an hour, when I was awoke by a rustling in the tent: upon looking to the place whence the noise proceeded, I could distinctly perceive the figure of a man forcing himself through one of the divisions. With my mind fully occupied with the late attack, I immediately cocked my pistols; and, with the muzzle presented to the dark figure which appeared to be creeping along, I begged that Mr Hamilton, to prevent accidents, would come close to me before I fired. By great good fortune he called out, and I discovered that *he* was the supposed robber, who, having gone to speak to Mr Lamb, had been unable to open the door on his return, and had forced his way in the manner described.'

The scenery now becomes more varied. The mountain passes are grand and picturesque; there are many hills of perpetual verdure in the higher regions; the groups of shepherds and travellers in the Eastern costume, give additional life to the landscape; and towns and villages lie more thickly scattered on the line of march. In general, the natives treated the party civilly, rather erring through excess of courtesy, than the want of it, and intruding somewhat too much, through curiosity to see and converse with strange persons. They reached Kermanshah, the capital, in safety, and found it a pleasant town, situated at the upper end of a deep woody ravine, well compassed with gardens, walks, canals, reservoirs of water, and kiosks, or pleasure-houses.

They found established here Messrs de Veaux and Court, two French officers in the service of the prince, who received them with much hospitality, and were of great use to them during their stay. It seems that there are now, and probably have been ever since the termination of the war in Europe, a number of military men of different nations, but chiefly French, wandering over the East, and offering their services to the Asiatic Princes. Seven or eight were at one time employed in this remote province, who had now dispersed themselves in different quarters; and Messrs Court and de Veaux very unreservedly

talk of having at one time entertained the project of going up the Indus, and offering their services to a native prince, who, they understood, wanted officers to conduct his armies against the English.

We hope it may not be deemed disrespectful to the noble profession of arms, if we introduce, in connexion with these gentlemen, a sketch given by our author, in another part of his very entertaining volume—it is the portrait, we venture to say the likeness, of a true soldier of fortune, formerly so common in Europe that our old comedians make merry at his expense; a person who, from having served in the wars, deems himself capable of any employment in peace, and is to be found, now serving foreign princes as a mercenary, now intriguing at home—sometimes adorning the table of a rich man, as his led captain—sometimes disposing of his property and his son's person, as a bear-leader —one day winning men's fortunes at the diceing-table, and the other, winning the sovereign's favour as a courtier; ready, in short, for any service which requires crafty boldness, or promises money or power.

'We received a visit next morning from the chief of the artillery to the Pasha of Bagdad. He was a tall thin man, about sixty years of age; his weather-beaten face had been bronzed by a long exposure to an Eastern sun; formidable white mustaches graced his upper lip; and over his eyes were a pair of ferocious bushy eye-brows, the peculiar elevation of which infallibly stamped him a Frenchman.

'The variety observable in his dress marked the true Soldado; the buttons of his coat were adorned with the imperial crown and initial of Napoleon; from the button-hole was suspended a croix of Louis the Desired; and a flaming pair of capacious Turkish trowsers bespoke his present service. The top of this gaunt figure was crowned with a small hat, which rested on his left ear.

'With the volubility which so strongly characterises his nation, he dilated on every subject. Hearing my name mentioned, he inquired of me if I was related to "the unfortunate Keppel." Perceiving that he confounded the fate of the two admirals, I attempted to convince him that it was Byng, and not Keppel, who had been unfortunate, but he interrupted me with a "*pardonnez;*" and assured the company that an English friend of his threw up his commission in consequence of Keppel's execution.'

Nor let it be deemed to savour of coldness towards military genius and merit, if we follow up the sketches of those desperate warriors, European by birth, and Asiatic by habits, by the equally striking portrait, and somewhat more of a full-length, which Captain Keppel exhibits of a performer mainly belonging to the same branch of industry, and of the pure Eastern school. The following is a spirited likeness of a refugee whom

he met with at the Court of Persia, whither he had fled from that of Bagdad, in consequence of one of the sudden reverses (what we should call *a change of ministry*) that sometimes will happen in the best regulated or most legitimate governments.

'His name was Moolah Ali, an Arab, though he wore the Persian dress; one with whom murder and every other crime had long been familiar. There was nothing, however, in his appearance to justify this supposition, nor in his features could there be distinguished any of those marks with which our romance-writers are wont to stamp the countenance of a murderer. On the contrary, his mild eye beamed with intelligence when he spoke, and his mouth was lighted up with so pleasing a smile, that the diabolical matter of his speech was often lost in attending to the pleasing manner of his delivery. Like many an Asiatic I have seen, his countenance was so entirely at variance with his conduct, as to set at nought all the boasted science of a physiognomist; his manners were remarkably captivating, and possessed that easy polish for which the natives of these countries are so remarkable. His conscience never troubled him with "air-drawn daggers;" but he had a real one in his girdle, to be used as inclination prompted.

'Not many weeks before we saw this Moolah, he was one of the principal persons of Mendali, a Turkish town near the frontier. In those days he was the bosom friend of Davoud Pasha,—"his best of cut-throats," and most willing instrument of assassination. It was during his intimacy with the Pasha that, on the day of some religious festival, he invited sixteen persons to a feast, and placing a confidential agent between each guest, caused every one of them to be put to death, himself giving the signal of slaughter by plunging a dagger into the breast of the person beside him. Such feats as these we may find in the histories of savage countries. Among all barbarians, the virtue of hospitality, so vaunted, has rarely, if ever, withstood the excitement of revenge or avarice.

'It is natural to suppose, that a friendship between two such persons as the Moolah and the Pasha, cemented as it was by guilt, could not be of long duration; accordingly we soon find these brethren in iniquity the most deadly foes; each beginning to exercise on the kindred, what he could not effect on the head of the family. Seventy of the Moolah's relations have fallen victims to the revenge of the Pasha; his father is chained in a prison in Bagdad, and ten thousand piastres are set upon his own head. In the meantime, he has not been backward in retaliation. Leaving the town of Mendali, attended by several of his tribe, he sallied forth into the Desert, attacked the Turkish caravans, and (to use his own expression) struck off, at every opportunity, the heads of all those wearing turbans.* The women of the party fell victims to the licentious passions of himself and followers, and other brutal excesses were committed by these ruffians, that would scarcely be credited in our own country.

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* The turban distinguishes the Turks from the Persians, who wear sheepskin caps.

'Observing us listen with much interest to this detail of crime, and taking for granted that our attention was a mark of sympathy, he said, with an air of gratitude, "How kind it is of you to enter so warmly into "my pursuits!"

'During our stay at Kermanshah we were in daily intercourse with this accomplished villain, who upon most subjects possessed a degree of information far beyond the generality of his countrymen. Of his deeds and projects he always spoke with the most unblushing effrontery, telling us that his schemes of plunder were only suspended till the remains of Mohumud Ali Meerza should be safely deposited in the holy burying-ground. Any act of hostility committed by him while a retainer of the court, would probably be retaliated by some insult to the corpse; and this would make the prince his enemy, with whom it was so much his interest to keep on good terms; "But," added he, "that business once "settled, Allah grant that the Pasha may fall into my hands, and then I "will tear out his heart and drink his blood." On our first salutation in a morning, he would always repeat the words, "Inshallah Pasha," (God willing, the Pasha,) supplying the rest of the sentence by significantly passing his finger across his throat.

'We one day asked the Moolah how he generally deprived his enemies of life? "That," replied he, "is as I can catch them. Some I have kill-"ed in battle, others I have stabbed sleeping." Another time we had the curiosity to examine his pistols, which, we had often remarked, were studded with several red nails. On inquiring the reason, he told us that each nail was to commemorate the death of some enemy who had fallen by that weapon.'

The opinion of this accomplished character upon duelling, is marked by the talent and decision which might be safely expected from his Serene Highness. The two French officers quarrelled; a challenge ensued; our travellers were the happy instruments of effecting a reconciliation; and the incident drew forth this natural and affecting remark from the worthy Moolah:—'How foolish it is for a man who wishes to kill his enemy, to 'expose his own life, when he can accomplish his purpose with 'so much greater safety, by shooting at him from behind a rock!'

From Kermanshah, the chief place of the province, they proceeded to the seat of government, Teheraun. The journey was fatiguing, and not interesting: One day they went sixty miles, through a barren and uneven country. The description of this city has been frequently given, and we have left ourselves little room for further extracts. We must, however, advert to the presentation of the travellers at the levee, not of the King, but of a much greater man, though he is not so gorgeous in titles. The Oriental reader will at once comprehend that we can only mean the Persian prime minister. His name is Ameen ed Dowlah; and his place, says our author, that of Lord Treasurer, which office,

apparently, is not now in commission at Teheraun. He also 'performs the duties of *Prince Vizier*, that office being vacant.' Our author has omitted to inform us whether his Highness also performs the functions of *Great Mooften*, or Primate of the Persian Church, which, however, is extremely probable, when we reflect on the close connexion between the state and the hierarchy, in that religious country. The want of a navy makes it more doubtful whether his Highness is *Capitan Pacha* and Lord High-Admiral too. He received them in a spacious room, and graciously rose to bid them welcome, 'a compliment which he does 'not pay to his own countrymen.' 'Several *Meerzas*, or Secretaries, (that is, of the Treasury,) were seated in a semi-circle,' writing to the minister's dictation, his own education having probably been neglected in his earlier years. The leaving office, however, is not so decorous a ceremony as in European courts, where a successful intrigue only makes one man go out and give place to another. The ceremonial of the *bastinado* would seem to form a portion of the retiring ministry's audience of leave; and the instrument for inflicting this mark of royal favour, is as regularly borne by the proper officer at all levees, as the Black Rod is by our Usher at all meetings of Parliament.

From Teheraun our travellers proceeded to Astrakhan, where they were most hospitably received by Mr Glen, a clergyman of the Scottish Church, settled there as a missionary. His first interview with this worthy man is very feelingly described by Captain Keppel.

'We reached Astrakhan, a distance of twelve versts, in an hour's drive. We crossed a branch of the river Wolga, on which the city is built. After a slight detention at the custom-house, we were allowed to proceed in any direction we chose. My Jew servant, who had not long left his village on the banks of the Terek, and had always considered Kizliar as the greatest of cities, was so confounded at the populous appearance of Astrakhan, that he could not say a word, and left me to find my way about as I could. The Kizliar merchants had spoken of *Khanee Fering*, an English inn; by repeating these words, I was at last directed to a spacious house, at the door of which was playing a rosy-cheeked boy, whose features were so English that I spoke to him in our own language. He told me he was the son of the Rev. Mr Glen, and that this was the Scotch Missionary-house. I had scarcely recovered from the satisfaction of hearing the welcome accents of my native land, when his mother, a handsome woman, begged I would come up stairs, and remain with her family during my stay. I partook of a slight refreshment, and soon after there was a general summons to prayers. The congregation consisted of twenty English persons, including women and children. Psalms were first chanted. One of the missionaries then put forth an eloquent extem-

pore prayer to the Almighty, into which he introduced a thanksgiving for my safe arrival and escape from so many dangers.

'At no period of my life do I remember to have been impressed with so strong a feeling of devotion as on this evening. Few persons of the same general habits will understand my particular feelings. Few have ever been placed in the same situation under similar circumstances. Quitting countries once the most rich and populous, now the most desolate and lone, fulfilling in their calamities the decrees of Divine Providence; safe from the dangers of the desert, and from the barbarian tribes with whom every crime was common, I found myself in a religious sanctuary among my own countrymen, in whose countenances, whatever were the trivial errors of their belief, might be traced the purity of their lives, and that enthusiasm in the cause of religion which has caused them to become voluntary exiles; whose kindness promised me every comfort, and whose voices were gratefully raised to Heaven in my behalf.'

The party having separated at Tabriz, Messrs Hart and Lamb proceeded straight for England; our author and Mr Hamilton unexpectedly afterwards overtook them at Moscow, and they all pursued their journey together by St Petersburgh, arriving on the coast of England in the month of November, after a long, but prosperous and interesting journey.

There are many books of Travels with far larger pretensions than this volume puts forth, but not many by which the reader's trouble is more surely repaid with pleasing information. There is no work that treats so well of the over-land journey from India. We trust that those who from time to time come by other routes, especially by Egypt, now growing daily in importance, and destined probably to hasten the downfall of tyranny and oppression, and far worse than Egyptian bondage in the new world, will present us with narratives written as plainly and as usefully as Captain Keppel's.

ART. V.—*A Selection from the Public and Private Correspondence of Vice-Admiral Lord Collingwood: interspersed with Memoirs of his Life. By G. L. Newnham Collingwood, Esq. F.R.S.* 2 vols. 8vo. Ridgway. London, 1828.

WE do not know when we have met with so delightful a book as this,—or one with which we are so well pleased with ourselves for being delighted. Its attraction consists almost entirely in its moral beauty; and it has the rare merit of filling us with the deepest admiration for heroism, without suborning our judgments into any approbation of the vices and

weaknesses with which poor mortal heroism is so often accompanied. In this respect, it is not only more safe, but more agreeable reading than the Memoirs of Nelson; where the lights and shadows are often too painfully contrasted, and the bane and the antidote exhibited in proportions that cannot but be hazardous for the ardent and aspiring spirits on which they are both most calculated to operate.

Is it a mere illusion of national vanity which prompts us to claim Lord Collingwood as a character peculiarly English? Certainly we must admit, that we have few Englishmen left who resemble him; and even that our prevailing notions and habits make it likely that we shall have still fewer hereafter. Yet we do not know where such a character could have been formed but in England;—and feel quite satisfied, that it is there only that it can be properly valued or understood. The combination of the loftiest daring with the most watchful humanity, and of the noblest ambition with the greatest disdain of personal advantages, and the most generous sympathy with rival merit, though rare enough to draw forth at all times the loud applause of mankind, have not been without example, in any race that boasts of illustrious ancestors. But, for the union of those high qualities with unpretending and almost homely simplicity, sweet temper, undeviating rectitude, and all the purity and sanctity of domestic affection and humble content—we can look, we think, only to England,—or to the fabulous legends of uncorrupted and uninstructed Rome. All these graces, however, and more than these, were united in Lord Collingwood: For he had a cultivated and even elegant mind, a taste for all simple enjoyments, and a rectitude of understanding, which seemed in him to be but the emanation of a still higher rectitude. Inferior, perhaps, to Nelson, in original genius and energy, and in that noble self-confidence in great emergencies which these qualities usually inspire, he was fully his equal in seamanship and the art of command, as well as in that devotedness to his country and his profession, and that utter fearlessness and gallantry of soul which exults and rejoices in scenes of tremendous peril, which have almost ceased to be remarkable in the character of a British sailor. On the other hand, we think it will scarcely be disputed that he was superior to that great commander in general information and accomplishment, and in that habit of thought, and that steadiness and propriety of personal deportment, which are their natural fruit. His greatest admirers, however, can ask no higher praise for him than that he stood on the same lofty level with Nelson, as to that generous and cordial appreciation of merit in his brother officers, by which, even more, perhaps, than by any

of his other qualities, that great man was distinguished. It does one's heart good, indeed, to turn, from the petty cabals, the paltry jealousies, the spiteful detractions, the irritable vanities, which infest almost every other walk of public life, and meet one at every turn—in all scenes of competition, among men otherwise eminent and honourable,—to the brother-like frankness and open-hearted simplicity even of the official communications between Nelson and Collingwood, and to the father-like interest with which they both concurred in fostering the glory, and cheering on the fortunes, of their younger associates. In their noble thirst for distinction, there seems to be absolutely no alloy of selfishness; and scarcely even a feeling of rivalry. If the opportunity of doing a splendid thing has not come to them, it has come to some one who deserved it as well, and perhaps needed it more. It will come to them another day, and then the heroes of this will repay their hearty congratulations. There is something inexpressibly beautiful and attractive in this spirit of magnanimous fairness; and if we could only believe it to be general in the navy, we should gladly recant all our heretical doubts as to the superior virtues of men at sea, join chorus to all the slang songs of Dibdin on the subject, and applaud to the echo all the tirades about British tars and wooden walls, which have so often nauseated us at the playhouses.

We feel excessively obliged to the editor of this book, both for making Lord Collingwood known to us, and for the very pleasing, modest, and effectual way he has taken to do it in. It is made up almost entirely of his Lordship's correspondence; and the few connecting statements and explanatory observations are given with the greatest clearness and brevity; and very much in the mild, conciliatory, and amiable tone of the remarkable person to whom they relate. When we say that this publication has made Lord Collingwood known to us, we do not mean that we, or the body of the nation, were previously ignorant that he had long served with distinction in the navy, and that it fell to his lot, as second in command at Trafalgar, to indite that eloquent and touching despatch which announced the final ruin of the hostile fleets, and the death of the great Admiral by whose might they had been scattered. But till this collection appeared, the character of the man was known, we believe, only to those who had lived with him; and the public was generally ignorant both of the detail of his services, and the high principle and exemplary diligence which presided over their performance. Neither was it known, we are persuaded, that those virtues and services actually cost him his life; and that the difficulty of finding,

in our large list of admirals, any one fit to succeed him in the important station which he filled in his declining years, induced the government,—most ungenerously, we must say, and unjustly,—to refuse his earnest desire to be relieved of it, and to insist on his remaining to the last gasp, at a post which he would not desert so long as his country required him to maintain it, but at which, it was apparent to himself, and all the world, that he must speedily die. The details now before us will teach the profession, we hope, by what virtues and what toils so great and so pure a fame can alone be won; and by rendering in this way such characters less rare, will also render the distinction to which they lead less fatal to its owners: while they cannot fail, we think, to awaken the government to a sense of its own ingratitude to those who have done it the noblest service, and of the necessity of at last adopting some of the suggestions which those great benefactors have so long pressed on its attention.

We have not much concern with the genealogy or early history of Lord Collingwood. He was born in 1750, of an honourable and ancient family of Northumberland, but of slender patrimony; and went to sea, under the care of his relative, Captain, afterwards Admiral Brathwaite, when only eleven years old. He used, himself, to tell, as an instance of his youth and simplicity at this time, 'that as he was sitting crying for his separation from home, the first lieutenant observed him; and pitying the tender years of the poor child, spoke to him in terms of much encouragement and kindness, which, as Lord Collingwood said, so won upon his heart, that, taking this officer to his box, he offered him in gratitude a large piece of plumcake which his mother had given him.' Almost from this early period he was the intimate friend and frequent associate of the brave Nelson; and had his full share of the obscure perils and unknown labours which usually form the noviciate of naval eminence. He was made commander in 1779; and being sent to the West Indies after the peace of 1783, was only restored to his family in 1786. He married in 1791; and was again summoned upon active service on the breaking out of the war with France in 1793; from which period to the end of his life, in 1810, he was continually in employment, and never permitted to see that happy home, so dear to his heart, and so constantly in his thoughts, except for one short interval of a year, during the peace of Amiens. During almost the whole of this period he was actually afloat; and was frequently, for a year together, and once for the incredible period of twenty-two months, without dropping an anchor. He was in almost all the great actions,

and had more than his share of the anxious blockades, which occurred in that memorable time; and signalized himself in all, by that mixture of considerate vigilance and brilliant courage, which may be said to have constituted his professional character. His first great battle was that which ended in Lord Howe's celebrated victory of the 1st of June, 1794; and we cannot resist the temptation of heading our extracts with a part of the account he has given of it, in a letter to his father-in-law, Mr Blackett—not so much for the purpose of recalling the proud feelings which must ever cling to the memory of our first triumph over triumphant France, as for the sake of that touching mixture it presents of domestic affection and family recollections with high professional enthusiasm, and the kindling spirit of war. In this situation he says:—

'We cruised for a few days, like disappointed people looking for what they could not find, until the morning of little Sarah's birth-day, between eight and nine o'clock, when the French fleet, of twenty-five sail of the line, was discovered to windward. We chased them, and they bore down within about five miles of us. The night was spent in watching and preparation for the succeeding day; and many a blessing did I send forth to my Sarah, lest I should never bless her more. At dawn, we made our approach on the enemy, then drew up, dressed our ranks, and it was about eight when the Admiral made the signal for each ship to engage her opponent, and bring her to close action, and then down we went under a crowd of sail, and in a manner that would have animated the coldest heart, and struck terror into the most intrepid enemy. The ship we were to engage was two a-head of the French Admiral, so that we had to go through his fire and that of two ships next him, and received all their broadsides two or three times, before we fired a gun. It was then near ten o'clock. I observed to the Admiral, that about that time our wives were going to church, but that I thought the peal we should ring about the Frenchmen's ears would outdo their parish bells. Lord Howe began his fire some time before we did; and he is not in the habit of firing soon. We got very near indeed, and then began such a fire as would have done you good to have heard. During the whole action the most exact order was preserved, and no accident happened but what was inevitable, and the consequence of the enemy's shot. In ten minutes the Admiral was wounded; I caught him in my arms before he fell: the first lieutenant was slightly wounded by the same shot, and I thought I was in a fair way of being left on deck by myself; but the lieutenant got his head dressed, and came up again. Soon after, they called from the forecastle that the Frenchman was sinking; at which the men started up and gave three cheers. I saw the French ship dismasted, and on her broadside, but in an instant she was clouded with smoke, and I do not know whether she sunk or not. All the ships in our neighbourhood were dismasted, and are taken, except the French Admiral, who was driven out of the line by Lord Howe, and saved himself by flight.'

In 1796 he writes to the same gentleman, from before Toulon—

'It is but dull work, lying off the enemy's port: they cannot move a ship without our seeing them, which must be very mortifying to them; but we have the mortification also to see their merchant-vessels going along shore, and cannot molest them. It is not a service on which we shall get fat; and often do I wish we had some of those bad potatoes which old Scott and William used to throw over the wall of the garden, for we feel the want of vegetables more than anything.

'The accounts I receive of my dear girls give me infinite pleasure. How happy I shall be to see them again! but God knows when the blessed day will come in which we shall be again restored to the comforts of domestic life; for here, so far from any prospect of peace, the plot seems to thicken, as if the most serious part of the war were but beginning.'

In 1797 he had a great share in the splendid victory off Cape St Vincent, and writes, as usual, a simple and animated account of it to Mr Blackett. We omit the warlike details, however, and give only these characteristic sentences:—

'I wrote to Sarah the day after the action with the Spaniards, but I am afraid I gave her but an imperfect account of it. It is a very difficult thing for those engaged in such a scene to give the detail of the whole, because all the powers they have are occupied in their own part of it. As to myself, I did my duty to the utmost of my ability, as I have ever done: that is acknowledged now; and that is the only real difference between this and the former action. One of the great pleasures I have received from this glorious event is, that I expect it will enable me to provide handsomely for those who serve me well. Give my love to my wife, and blessing to my children. What a day it will be to me when I meet them again! The Spaniards always carry their patron saint to sea with them, and I have given St Isidro a birth in my cabin: it was the least I could do for him, after he had consigned his charge to me. It is a good picture, as you will see when he goes to Morpeth.' . . . .

By some extraordinary neglect, Captain Collingwood had not received one of the medals generally distributed to the officers who distinguished themselves in Lord Howe's action; and it is to this he alludes in one of the passages we have now cited. His efforts, however, on this last occasion, having been the theme of universal admiration throughout the fleet, and acknowledged indeed by a variety of grateful and congratulatory letters from the admirals, and from Captain Nelson, to whose aid he came most gallantly in a moment of great peril, it was at last thought necessary to repair this awkward omission.

'When Lord St Vincent informed Captain Collingwood that he was to receive one of the medals which were distributed on this occasion, he told the Admiral, with great feeling and firmness, that he could not consent to receive a medal, while that for the 1st of June was withheld. "I feel,"

said he, " that I was then improperly passed over; and to receive such a " distinction now, would be to acknowledge the propriety of that injus- " tice."—" That is precisely the answer which I expected from you, Cap- " tain Collingwood," was Lord St Vincent's reply.

' The two medals were afterwards—and, as Captain Collingwood seems to have thought, by desire of the King—transmitted to him at the same time by Lord Spencer, the then First Lord of the Admiralty, with a civil apology for the former omission. " I congratulate you most sincerely," said his Lordship, " on having had the good fortune to bear so conspicu- " ous a part on two such glorious occasions, and have troubled you with " this letter, only to say, that the former medal would have been trans- " mitted to you some months ago, if a proper conveyance had been found " for it." '

We add the following little trait of the undaunted Nelson, from a letter of the same year :—

' My friend Nelson, whose spirit is equal to all undertakings, and whose resources are fitted to all occasions, was sent with three sail of the line and some other ships to Teneriffe, to surprise and capture it. After a se- ries of adventures, tragic and comic, that belong to romance, they were obliged to abandon their enterprise. Nelson was shot in the right arm when landing, and was obliged to be carried on board. He himself hail- ed the ship, and desired the surgeon would get his instruments ready to dis-arm him; and in half an hour after it was off, he gave all the orders necessary for carrying on their operations, as if nothing had happened to him. In three weeks after, when he joined us, he went on board the Admiral, and I think exerted himself to a degree of great imprudence.'

The following letter to Captain Ball, on occasion of the glo- rious victory of the Nile, may serve to illustrate what we have stated as to the generous and cordial sympathy with rival glory and fortune, which breathes throughout the whole correspond- ence :—

' I cannot express to you how great my joy was when the news arrived of the complete and unparalleled victory which you obtained over the French, or what were my emotions of thankfulness, that the life of my worthy and much-respected friend was preserved through such a day of danger, to his family and his country. I congratulate you, my dear friend, on your success. Oh, my dear Ball, how I have lamented that I was not one of you! Many a victory has been won, and I hope many are yet to come, but there never has been, nor will be perhaps again, one in which the fruits have been so completely gathered, the blow so nobly followed up, and the consequences so fairly brought to account. I have heard with great pleasure, that your squadron has presented Sir H. Nelson with a sword; it is the honours to which he led you reflected back upon himself, —the finest testimony of his merits for having led you to a field in which you all so nobly displayed your own. The expectation of the people of England was raised to the highest pitch; the event has exceeded all ex- pectation.'

After this he is sent, for repairs, for a few weeks to Ports- mouth, and writes to his father-in-law as follows :—

'We never know, till it is too late, whether we are going too fast or too slow; but I am now repenting that I did not persuade my dear Sarah to come to me as soon as I knew I was not to go from this port; but the length of the journey, the inclemency of the weather, and the little prospect of my staying here half this time, made me think it an unnecessary fatigue for her. I am now quite sick at heart with disappointment and vexation; and though I hope every day for relief, yet I find it impossible to say when I shall be clear.

'Last night I went to Lady Parker's twelfth-night, where all the gentlemen's children of the town were at dance and revelry; but I thought of my own, and was so completely out of spirits that I left them in the middle of it. My wife shall know all my movements, even the very hour in which I shall be able to come to you. I hope they will not hurry me to sea again, for my spirit requires some respite from the anxieties which a ship occasions.

'Bless my precious girls for me, and their beloved mother.'

The following are in the same tone of tenderness and considerate affection; and coming from the hand of the fiery warrior, and devoted servant of his country, are to us extremely touching:—

'Would to God that this war were happily concluded! It is anguish enough to me to be thus for ever separated from my family; but that my Sarah should, in my absence, be suffering from illness, is complete misery. Pray, my dear sir, have the goodness to write a line or two very often, to tell me how she does. I am quite pleased at the account you give me of my girls. If it were peace, I do not think there would be a happier set of creatures in Northumberland than we should be.' . . . .

'It is a great comfort to me, banished as I am from all that is dear to me, to learn that my beloved Sarah and her girls are well. Would to Heaven it were peace! that I might come, and for the rest of my life be blessed in their affection. Indeed, this unremitting hard service is a great sacrifice, giving up all that is pleasurable to the soul, or soothing to the mind, and engaging in a constant contest with the elements, or with tempers and dispositions as boisterous and untractable. Great allowance should be made for us when we come on shore: for being long in the habits of absolute command, we grow impatient of contradiction, and are unfitted for the gentle intercourse of quiet life I am really in great hopes that it will not be long before the experiment will be made upon me, for I think we shall soon have peace; and I assure you that I will endeavour to conduct myself with as much moderation as possible. I have come to another resolution, which is, when this war is happily terminated, to think no more of ships, but pass the rest of my days in the bosom of my family, where I think my prospects of happiness are equal to any man's.' . . .

'You have been made happy this winter in the visit of your daughter. How glad should I have been could I have joined you! but it will not be long; two years more will, I think, exhaust me completely, and then I shall be fit only to be nursed. God knows how little claim I have on anybody to take that trouble. My daughters can never be to me what yours have been, whose affections have been nurtured by daily acts of

kindness. They may be told that it is a duty to regard me, but it is not reasonable to expect that they should have the same feeling for a person of whom they have only heard; but if they are good and virtuous, as I hope and believe they will be, I may share at least in their kindness with the rest of the world.'

He decides at last on sending for his wife and child, in the hope of being allowed to remain for some months at Portsmouth; but is suddenly ordered off on the very day they are expected! It is delightful to have to record such a letter as the following, on occasion of such an affliction, from such a man as Nelson:—

'My dear friend,—I truly feel for you, and as much for poor Mrs Collingwood. How sorry I am. For Heaven's sake, do not think I had the gift of foresight; but something told me so it would be. Can't you contrive and stay to-night? it will be a comfort if only to see your family one hour. Therefore, had you not better stay on shore and wait for her? Ever, my dear Collingwood, believe me, your affectionate and faithful friend, NELSON AND BRONTE.

'If they would have manned me and sent me off, it would have been real pleasure to me. How cross are the fates!'

He does stay accordingly, and sees those beloved pledges for a few short hours. We will not withhold from our readers his account of it:—

'Sarah will have told you how and when we met; it was a joy to me that I cannot describe, and repaid me, short as our interview was, for a world of woe which I was suffering on her account. I had been reckoning on the possibility of her arrival that Tuesday, when about two o'clock I received an express to go to sea immediately with all the ships that were ready, and had we not then been engaged at a court martial, I might have got out that day; but this business delayed me till near night, and I determined to wait on shore until eight o'clock for the chance of their arrival. I went to dine with Lord Nelson; and while we were at dinner their arrival was announced to me. I flew to the inn where I had desired my wife to come, and found her and little Sarah as well after their journey as if it had lasted only for the day. No greater happiness is human nature capable of than was mine that evening; but at dawn we parted, and I went to sea.'

And afterwards—

'You will have heard from Sarah what a meeting we had, how short our interview, and how suddenly we parted. It is grief to me to think of it now; it almost broke my heart then. After such a journey, to see me but for a few hours, with scarce time for her to relate the incidents of her journey, and no time for me to tell her half that my heart felt at such a proof of her affection; but I am thankful that I did see her and my sweet child. It was a blessing to me, and composed my mind, which was before very much agitated. I have little chance of seeing her again, unless a storm should drive us into port, for the French fleet is in a state

of preparation, which makes it necessary for us to watch them narrowly.

'I can still talk to you of nothing but the delight I experienced in the little I have had of the company of my beloved wife and of my little Sarah. What comfort is promised to me in the affections of that child, if it should please God that we ever again return to the quiet domestic cares of peace! I should be much obliged to you if you would send Scott a guinea for me, for these hard times must pinch the poor old man, and he will miss my wife, who was very kind to him.'

Upon the peace of Amiens he at last got home, about the middle of 1802. The following brief sketch of his enjoyment there, is from the hand of his affectionate editor:—

'During this short period of happiness and rest, he was occupied in superintending the education of his daughters, and in continuing those habits of study which had long been familiar to him. His reading was extensive, particularly in history; and it was his constant practice to exercise himself in composition, by making abstracts from the books which he read; and some of his abridgements, with the observations by which he illustrated them, are written with singular conciseness and power. "I "know not," said one of the most eminent English diplomatists, with whom he had afterwards very frequent communications, "I know not "where Lord Collingwood got his style, but he writes better than any of "us." His amusements were found in the intercourse with his family, in drawing, planting, and the cultivation of his garden, which was on the bank of the beautiful river Wansbeck. This was his favourite employment; and on one occasion, a brother Admiral, who had sought him through the garden in vain, at last discovered him with his gardener, old Scott, to whom he was much attached, in the bottom of a deep trench, which they were busily occupied in digging.'

In spring 1803, however, he was again called upon duty by his ancient commander, Admiral Cornwallis, who hailed him as he approached, by saying, 'Here comes Collingwood!—the last 'to leave, and the first to rejoin me!' His occupation there was to watch and blockade the French fleet at Brest, a duty which he performed with the most unwearied and scrupulous anxiety.

'During this time he frequently passed the whole night on the quarter-deck,—a practice which, in circumstances of difficulty, he continued till the latest years of his life. When, on these occasions, he has told his friend Lieutenant Clavell, who had gained his entire confidence, that they must not leave the deck for the night, and that officer has endeavoured to persuade him that there was no occasion for it, as a good look-out was kept, and represented that he was almost exhausted with fatigue; the Admiral would reply, "I fear you are. You have need of rest; so go to "bed, Clavell, and I will watch by myself." Very frequently have they slept together on a gun, from which Admiral Collingwood would rise from time to time, to sweep the horizon with his night-glass, lest the enemy should escape in the dark.'

In 1805 he was moved to the station off Cadiz, and condemned to the same weary task of watching and observation. He here writes to his father-in-law as follows:—

'How happy should I be, could I but hear from home, and know how my dear girls are going on! Bounce is my only pet now, and he is indeed a good fellow; he sleeps by the side of my cot, whenever I lie in one, until near the time of tacking, and then marches off, to be out of the hearing of the guns, for he is not reconciled to them yet. I am fully determined, if I can get home and manage it properly, to go on shore next spring for the rest of my life, for I am very weary. There is no end to my business: I am at work from morning till even; but I dare say Lord Nelson will be out next month. He told me he should; and then what will become of me I do not know. I should wish to go home; but I must go or stay as the exigencies of the times require.'

At last, towards the close of the year, the enemy gave some signs of an intention to come out—and the day of Trafalgar was at hand. In anticipation of it, Lord Nelson addressed the following characteristic note to his friend, which breathes in every line the noble frankness and magnanimous confidence of his soul:—

'They surely cannot escape us. I wish we could get a fine day. I send you my plan of attack, as far as a man dare venture to guess at the very uncertain position the enemy may be found in: but, my dear friend, it is to place you perfectly at ease respecting my intentions, and to give full scope to your judgment for carrying them into effect. We can, my dear Coll., have no little jealousies: we have only one great object in view—that of annihilating our enemies, and getting a glorious peace for our country. No man has more confidence in another than I have in you; and no man will render your services more justice than your very old friend, NELSON AND BRONTE.'

The day at last came; and though it is highly characteristic of its author, we will not indulge ourselves by transcribing any part of the memorable despatch, in which Lord Collingwood, after the fall of his heroic commander, announced its result to his country. We cannot, however, withhold from our readers the following particulars as to his personal conduct and deportment, for which they would look in vain in that singularly modest and generous detail. Some of them, the editor informs us, are from the statement of his confidential servant.

'"I entered the Admiral's cabin," he observed, "about daylight, and "found him already up and dressing. He asked if I had seen the French "fleet; and on my replying that I had not, he told me to look out at them, "adding, that, in a very short time, we should see a great deal more of "them. I then observed a crowd of ships to leeward; but I could not help "looking, with still greater interest, at the Admiral, who, during all this time, "was shaving himself with a composure that quite astonished me." Admiral Collingwood dressed himself that morning with peculiar care; and soon

after, meeting Lieutenant Clavell, advised him to pull off his boots. "You "had better," he said, "put on silk stockings, as I have done: for if one "should get a shot in the leg, they would be so much more manageable "for the surgeon." He then proceeded to visit the decks, encouraged the men to the discharge of their duty, and addressing the officers, said to them, "Now, gentlemen, let us do something to-day which the world "may talk of hereafter."

'He had changed his flag about ten days before the action, from the Dreadnought; the crew of which had been so constantly practised in the exercise of the great guns, under his daily superintendence, that few ships' companies could equal them in rapidity and precision of firing. He was accustomed to tell them, that if they could fire three well-directed broadsides in five minutes, no vessel could resist them; and, from constant practice, they were enabled to do so in three minutes and a half. But though he left a crew which had thus been disciplined under his own eye, there was an advantage in the change; for the Royal Sovereign, into which he went, had lately returned from England, and as her copper was quite clean, she much outsailed the other ships of the lee division. While they were running down, the well-known telegraphic signal was made of "England "expects every man to do his duty." When the Admiral observed it first, he said that he wished Nelson would make no more signals, for they all understood what they were to do: but when the purport of it was communicated to him he expressed great delight and admiration, and made it known to the officers and ship's company. Lord Nelson had been requested by Captain Blackwood (who was anxious for the preservation of so invaluable a life) to allow some other vessels to take the lead, and at last gave permission that the Temeraire should go a-head of him; but resolving to defeat the order which he had given, he crowded more sail on the Victory, and maintained his place. The Royal Sovereign was far in advance when Lieutenant Clavell observed that the Victory was setting her studding sails, and with that spirit of honourable emulation which prevailed between the squadrons, and particularly between these two ships, he pointed it out to Admiral Collingwood, and requested his permission to do the same. "The ships of our line," replied the Admiral, "are not yet "sufficiently up for us to do so now; but you may be getting ready." The studding sail and royal halliards were accordingly manned, and in about ten minutes the Admiral, observing Lieutenant Clavell's eyes fixed upon him with a look of expectation, gave him a nod; on which that officer went to Captain Rotheram and told him that the Admiral desired him to make all sail. The order was then given to rig out and hoist away, and in one instant the ship was under a crowd of sail, and went rapidly a-head. The Admiral then directed the officers to see that all the men lay down on the decks, and were kept quiet. At this time the Fougueux, the ship astern of the Santa Anna, had closed up with the intention of preventing the Royal Sovereign from going through the line; and when Admiral Collingwood observed it, he desired Captain Rotherham to steer immediately for the Frenchman and carry away his bowsprit. To avoid this the Fougueux backed her main top sail, and suffered the Royal Sovereign to pass, at the same time beginning her fire; when the Admiral

ordered a gun to be occasionally fired at her to cover his ship with smoke.'

'The nearest of the English ships was now distant about a mile from the Royal Sovereign; and it was at this time, while she was pressing alone into the midst of the combined fleets, that Lord Nelson said to Captain Blackwood, "See how that noble fellow, Collingwood, takes his ship into "action. How I envy him!" On the other hand, Admiral Collingwood, well knowing his commander and friend, observed, "What would "Nelson give to be here!" and it was then, too, that Admiral Villeneuve, struck with the daring manner in which the leading ships of the English squadrons came down, despaired of the issue of the contest. In passing the Santa Anna, the Royal Sovereign gave her a broadside and a half into her stern, tearing it down, and killing and wounding 400 of her men; then, with her helm hard a-starboard, she ranged up alongside so closely that the lower yards of the two vessels were locked together. The Spanish admiral, having seen that it was the intention of the Royal Sovereign to engage to leeward, had collected all his strength on the starboard; and such was the weight of the Santa Anna's metal, that her first broadside made the Sovereign heel two streaks out of the water. Her studding-sails and halliards were now shot away; and as a top-gallant studding-sail was hanging over the gangway hammocks, Admiral Collingwood called out to Lieutenant Clavell to come and help him to take it in, observing that they should want it again some other day. These two officers accordingly rolled it carefully up and placed it in the boat.'*

We shall add only what he says in his letter to Mr Blackett of Lord Nelson:—

'When my dear friend received his wound, he immediately sent an officer to me to tell me of it, and give his love to me. Though the officer was directed to say the wound was not dangerous, I read in his countenance what I had to fear; and before the action was over, Captain Hardy came to inform me of his death. I cannot tell you how deeply I was affected; my friendship for him was unlike anything that I have left in the navy; a brotherhood of more than thirty years. In this affair he did nothing without my counsel, we made our line of battle together, and concerted the mode of attack, which was put in execution in the most admirable style. I shall grow very tired of the sea soon; my health has suffered so much from the anxious state I have been in, and the fatigue I have undergone, that I shall be unfit for service. The severe gales which immediately followed the day of victory ruined our prospect of prizes.'

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* 'Of his economy, at all times, of the ship's stores, an instance was often mentioned in the navy as having occurred at the battle of St Vincent. The Excellent shortly before the action had bent a new fore-topsail: and when she was closely engaged with the St Isidro, Captain Collingwood called out to his boatswain, a very gallant man, who was shortly afterwards killed, "Bless me! Mr Peffers, how came we to for-"get to bend our *old* top-sail? They will quite ruin that new one. It "will never be worth a farthing again."'

He was now elevated to the peerage, and a pension of L.2000 was settled on him by parliament for his own life, with L.1000 in case of his death to Lady Collingwood, and L.500 to each of his daughters. His Royal Highness the Duke of Clarence also honoured him with a very kind letter, and presented him with a sword. The way in which he received all those honours, is as admirable as the services by which they were earned. On the first tidings of his peerage he writes thus to Lady Collingwood:—

'It would be hard if I could not find one hour to write a letter to my dearest Sarah, to congratulate her on the high rank to which she has been advanced by my success. Blessed may you be, my dearest love, and may you long live the happy wife of your happy husband! I do not know how you bear your honours; but I have so much business on my hands, from dawn till midnight, that I have hardly time to think of mine, except it be in gratitude to my King, who has so graciously conferred them upon me. But there are so many things of which I might justly be a little proud—for extreme pride is folly—that I must share my gratification with you. The first is the letter from Colonel Taylor, his Majesty's private secretary to the Admiralty, to be communicated to me. I enclose you a copy of it. It is considered the highest compliment the King can pay; and, as the King's personal compliment, I value it above everything. But I will tell you what I feel nearest to my heart, after the honour which his Majesty has done me, and that is the praise of every officer of the fleet. There is a thing which has made a considerable impression upon me. A week before the war, at Morpeth, I dreamed distinctly many of the circumstances of our late battle off the enemy's port, and I believe I told you of it at the time: but I never dreamed that I was to be a peer of the realm. How are my darlings? I hope they will take pains to make themselves wise and good, and fit for the station to which they are raised.'

And again a little after:—

'I labour from dawn till midnight, till I can hardly see; and as my hearing fails me too, you will have but a mass of infirmities in your poor Lord, whenever he returns to you. I suppose I must not be seen to work in my garden now; but tell old Scott that he need not be unhappy on that account. Though we shall never again be able to plant the Nelson potatoes, we will have them of some other sort, and right noble cabbages to boot, in great perfection. You see I am styled of Hethpoole and Caldburne. Was that by your direction? I should prefer it to any other title if it was; and I rejoice, my love, that we are an instance that there are other and better sources of nobility than wealth.'

At this time he had not heard that it was intended to accompany his dignity with any pension; and though the editor assures us that his whole income, even including his full pay, was at this time scarcely L.1100 a-year, he never seems to have wasted a thought on such a consideration. Not that he was not at all times a prudent and considerate person; but, with the high spirit of a gentleman, and an independent Englishman, who had

made his own way in the world, he disdained all sordid considerations. Nothing can be nobler, or more natural, than the way in which he expresses this sentiment, in another letter to his wife, written a few weeks after the preceding :—

'Many of the Captains here have expressed a desire that I would give them a general notice whenever I go to court; and if they are within 500 miles, they will come up to attend me. Now all this is very pleasing; but, alas! my love, until we have peace, I shall never be happy: and yet, how we are to make it out in peace, I know not,—with high rank and no fortune. At all events, we can do as we did before. It is true I have the chief command, but there are neither French nor Spaniards on the sea, and our cruisers find nothing but neutrals, who carry on all the trade of the enemy. Our prizes you see are lost. Villeneuve's ship had a great deal of money in her, but it all went to the bottom. I am afraid the fees for this patent will be large, and pinch me: But never mind; let others solicit pensions, I am an Englishman, and will never ask for money as a favour. How do my darlings go on? I wish you would make them write to me by turns, and give me the whole history of their proceedings. Oh! how I shall rejoice, when I come home, to find them as much improved in knowledge as I have advanced them in station in the world: But take care they do not give themselves foolish airs. Their excellence should be in knowledge, in virtue, and benevolence to all; but most to those who are humble, and require their aid. This is true nobility, and is now become an incumbent duty on them. I am out of all patience with Bounce. The consequential airs he gives himself since he became a Right Honourable dog, are insufferable. He considers it beneath his dignity to play with Commoners' dogs, and, truly, thinks that he does them grace when he condescends to lift up his leg against them. This, I think, is carrying the insolence of rank to the extreme; but he is a dog that does it. 25th December. This is Christmas-day; a merry and cheerful one, I hope, to all my darlings. May God bless us, and grant that we may pass the next together. Everybody is very good to me; but his Majesty's letters are my pride: it is there I feel the object of my life attained.'

And again, in the same noble spirit is the following to his father-in-law :—

'I have only been on shore once since I left England, and do not know when I shall go again. I am unceasingly writing, and the day is not long enough for me to get through my business. I hope my children are every day acquiring some knowledge, and wish them to write a French letter every day to me or their mother. I shall read them all when I come home. If there were an opportunity, I should like them to be taught Spanish, which is the most elegant language in Europe, and very easy. I hardly know how we shall be able to support the dignity to which his Majesty has been pleased to raise me. Let others plead for pensions; I can be rich without money, by endeavouring to be superior to everything poor. I would have my services to my country unstained by any interested motive; and old Scott and I can go on in our cabbage-garden without much greater expense than formerly. But I have had a great destruction of my furniture and stock; I have hardly a chair that has not a shot in it,

and many have lost both legs and arms, without hope of pension. My wine broke in moving, and my pigs slain in battle; and these are heavy losses where they cannot be replaced. . . . .'

'I suppose I shall have great demands on me for patents and fees, but we must pay for being great. I get no prize-money. Since I left England, I have received only L.183, which has not quite paid for my wine; but I do not care about being rich, if we can but keep but a good fire in winter. How I long to have a peep into my own house, and a walk in my own garden! It is the pleasing object of all my hopes.'

In the midst of all those great concerns, it is delightful to find the noble Admiral writing thus, from the Mediterranean, of his daughter's sick governess, and inditing this postscript to the little girls themselves:—

'How sorry am I for poor Miss ———. I am sure you will spare no pains for her; and do not lose sight of her when she goes to Edinburgh. Tell her that she must not want any advice or any comfort; but I need not say this to you, my beloved, who are kindness itself. I am much obliged to the Corporation of Newcastle for every mark which they give of their esteem and approbation of my service. But where shall we find a place in our small house for all those vases and epergnes? A kind letter from them would have gratified me as much, and have been less trouble to them.'

'My darlings, Sarah and Mary,

'I was delighted with your last letters, my blessings, and desire you to write to me very often, and tell me all the news of the city of Newcastle and town of Morpeth. I hope we shall have many happy days, and many a good laugh together yet. Be kind to old Scott; and when you see him weeding my oaks, give the old man a shilling.

'May God Almighty bless you.'

The patent of his peerage was limited to the heirs *male* of his body, and having only daughters, he very early expressed a wish that it might be extended to them and their male heirs. But this was not attended to. When he heard of his pension, he wrote, in the same lofty spirit, to Lord Barham, that if the title could be continued to the heirs of his daughters, he did not care for the pension at all; and in urging his request for the change, he reminded his Lordship, with an amusing naiveté, that government ought really to show some little favour to his daughters, considering that, if they had not kept him constantly at sea since 1793, he would probably have had half a dozen sons by this time, to succeed him in his honours!

It is delightful to read and extract passages like these; but we feel that we must stop; and that we have already exhibited enough of this book, both to justify the praises we have bestowed on it, and to give our readers a full impression of the exalted and most amiable character to which it relates. We shall add no more, there-

fore, that is merely personal to Lord Collingwood, except what belongs to the decay of his health, his applications for recall, and the death that he magnanimously staid to meet, when that recall was so strangely withheld. His constitution had been considerably impaired even before the action of Trafalgar; but in 1808 his health seemed entirely to give way; and he wrote, in August of that year, earnestly entreating to be allowed to come home. The answer to his application was, that it was so difficult to supply his place, that his recall must, at all events, be suspended. In a letter to Lady Collingwood, he refers to this correspondence, and after mentioning his official application to the Admiralty, he says:—

'What their answer will be, I do not know yet; but I had before mentioned my declining health to Lord Mulgrave, and he tells me in reply, that he hopes I will stay, for he knows not how to supply my place. The impression which his letter made upon me was one of grief and sorrow: first, that with such a list as we have, there should be thought to be any difficulty in finding a successor of superior ability to me; and next, that there should be any obstacle in the way of the only comfort and happiness that I have to look forward to in this world.'

In answer to Lord Mulgrave's statement, he afterwards writes, that his infirmities had sensibly increased; but 'I have no object in the world that I put in competition with my public duty; and so long as your Lordship thinks it proper to continue me in this command, my utmost efforts shall be made to strengthen the impression which you now have; but I still hope, that whenever it may be done with convenience, your Lordship will bear in mind my request.' Soon after he writes thus to his family:—'I am an unhappy creature—old and worn out. I wish to come to England; but some objection is ever made to it.' And, again, 'I have been very unwell. The physician tells me that it is the effect of constant confinement —which is not very comfortable, as there seems little chance of its being otherwise. Old age and its infirmities are coming on me very fast; and I am weak and tottering on my legs. It is high time I should return to England; and I hope I shall be allowed to do it before long. It will otherwise be too late.'

And it was too late! He was not relieved—and scorning to leave the post assigned to him, while he had life to maintain it, he died at it, in March, 1810, upwards of eighteen months after he had thus stated to the government his reasons for desiring a recall. The following is the editor's touching and affectionate account of the closing scene—full of pity and of grandeur—and harmonizing beautifully with the noble career which was destined there to be arrested:—

'Lord Collingwood had been repeatedly urged by his friends to sur-

render his command, and to seek in England that repose which had become so necessary in his declining health; but his feelings on the subject of discipline were peculiarly strong, and he had ever exacted the most implicit obedience from others. He thought it therefore his duty not to quit the post which had been assigned to him, until he should be duly relieved,—and replied, "that his life was his country's, *in whatever way it "might be required of him.*" When he moored in the harbour of Port Mahon, on the 25th of February, he was in a state of great suffering and debility; and having been strongly recommended by his medical attendants to try the effect of gentle exercise on horseback, he went immediately on shore, accompanied by his friend Captain Hallowell, who left his ship to attend him in his illness: but it was then too late. He became incapable of bearing the slightest fatigue; and as it was represented to him that his return to England was indispensably necessary for the preservation of his life, he, on the 3d of March, surrendered his command to Rear Admiral Martin. The two following days were spent in unsuccessful attempts to warp the Ville de Paris out of Port Mahon; but on the 6th the wind came round to the westward, and at sunset the ship succeeded in clearing the harbour, and made sail for England. When Lord Collingwood was informed that he was again at sea, he rallied for a time his exhausted strength, and said to those around him, "Then I may yet live to meet "the French once more." On the morning of the 7th there was a considerable swell, and his friend Captain Thomas, on entering his cabin, observed, that he feared the motion of the vessel disturbed him. "No, "Thomas," he replied; "I am now in a state in which nothing in this "world can disturb me more. I am dying; and I am sure it must be con-"solatory to you, and all who love me, to see how comfortably I am "coming to my end." He told one of his attendants that he had endeavoured to review, as far as was possible, all the actions of his past life, and that he had the happiness to say, that nothing gave him a moment's uneasiness. He spoke at times of his absent family, and of the doubtful contest in which he was about to leave his country involved, but ever with calmness and perfect resignation to the will of God; and in this blessed state of mind, after taking an affectionate farewell of his attendants, he expired without a struggle at six o'clock in the evening of that day, having attained the age of fifty-nine years and six months.

'After his decease, it was found that, with the exception of the stomach, all the other organs of life were peculiarly vigorous and unimpaired; and from this inspection, and the age which the surviving members of his family have attained, there is every reason to conclude that if he had been earlier relieved from his command, he would still have been in the enjoyment of the honours and rewards which would doubtless have awaited him on his return to England.'

We shall not dwell, however, on this melancholy scene—nor needlessly dilate on a character which is already sufficiently unfolded in the extracts we have now made: but assuming that that character is such as to invest with the highest possible authority any views or opinions which the man who bore it had deliberately formed on the management and discipline of the

navy, we shall proceed to consider those parts of the volumes before us which contain the record of such opinions:—And, first, with regard to the important subject of Corporal Punishments.

It is a question which has been lately a good deal agitated—whether the captains of his Majesty's navy should have the power of flogging every man under their command, subject to no other restraint than that of transmitting to the Admiralty an account of the punishments they inflict. The order recently issued by the Lord High Admiral (June 19, 1827) not to inflict corporal punishment on petty officers, is, in truth, no restraint at all; for the power of dis-rating such officers is still left to the captain, and he may therefore dis-rate them one day, and flog them the next, for any offence real or supposed. 'If it be 'not *absolutely necessary* that a captain should possess a power 'which he may, and probably will sometimes grossly abuse, he 'ought not to be intrusted with it.' And Lord Collingwood's opinion and practice, as well as Lord Nelson's, who, it is well known, was also averse from flogging, were formed after they had seen the very existence of the navy endangered by mutiny and revolt.

'It was during this time, so full of peril to the navy,' says the editor, 'and to England, that Lord St Vincent repressed in the Mediterranean fleet the spirit of mutiny which had unhappily prevailed at the Nore. No officer regarded with greater admiration the conduct of that distinguished commander than did Captain Collingwood, or co-operated with more zeal and effect in the prompt and decisive measures which were then pursued; and of this the Admiral was so convinced, that it was his frequent practice to draft the most ungovernable spirits into the Excellent. "Send them to Collingwood," he used to say, "and he will bring "them to order." Notwithstanding this, while capital punishments were frequently taking place in other ships, Captain Collingwood, by the kind but firm conduct which he adopted towards his crew, was enabled to maintain discipline, not only without being driven to the dreadful necessity of bringing men to trial for their lives, but almost without the infliction of any corporal punishment whatsoever.

'The question respecting corporal punishment in the navy, and the degree to which it can be properly controlled, has often been the subject of discussion, and practically there is great difference in different ships: for many officers are enabled to resort to it very rarely, and only in offences of the gravest nature; while others, of kind and humane dispositions, still feel themselves compelled to act upon the painful conviction that no great relaxation can be made, without danger, in its frequency and severity. It cannot therefore be uninteresting to record the sentiments and conduct of Lord Collingwood in this respect, during a length of service that was unexampled, and with a crew ever foremost in times of danger, and cheerfully sustaining a duration of hardship and fatigue, which has no parallel in the English navy: and although the result of one such series of

experiments may not be decisive, yet it cannot fail to have its weight in the consideration of the most important question that can occupy the attention of a naval officer, how best he may secure the obedience and happiness of his men. His view of the subject cannot be better given than in his own words to a First Lord of the Admiralty, to whom he had written in favour of an officer for whose zeal and talents he had the highest regard, and who, as he was told in reply, was then charged with great severity to his men. "I recommended," says he, "Captain ——, because "I consider him a diligent, attentive, and skilful officer; but the conduct "which is imputed to him has always met my decided reprobation, as "being big with the most dangerous consequences, and subversive of all "real discipline." When the offence was of such a nature that the necessity of corporal punishment was manifest, Captain Collingwood was present, as is customary, but suffering from his wounded feelings greater pain probably than the culprit himself; and on these occasions, he was for many hours afterwards melancholy and silent, sometimes not speaking a word again for the remainder of the day.

'As his experience in command, and his knowledge of the dispositions of men increased, his abhorrence of corporal punishment grew daily stronger; and in the latter part of his life, more than a year has often passed away without his having recourse to it once. "I wish I were the cap-"tain for your sakes," cried Lieutenant Clavell one day to some men who were doing some part of their duty ill; when shortly afterwards a person touched him on the shoulder, and turning round he saw the Admiral, who had overheard him. "And pray, Clavell, what would you have done, if you had been captain?"—"I would have flogged them well, sir."—"No, "you would not, Clavell; no, you would not," he replied. "I know you "better." He used to tell the ship's company, that he was determined that the youngest midshipman should be obeyed as implicitly as himself; and that he would punish with great severity any instance to the contrary. When a midshipman made a complaint, he would order the man for punishment the next day; and, in the interval, calling the boy down to him, would say, "In all probability the fault was yours; but whether it were "or not, I am sure it would go to your heart to see a man old enough to "be your father disgraced and punished on your account; and it will, there-"fore, give me a good opinion of your disposition, if, when he is brought "out, you ask for his pardon." When this recommendation, acting as it did like an order, was complied with, and the lad interceded for the prisoner, Captain Collingwood would make great apparent difficulty in yielding, but at length would say, "This young gentleman has pleaded so humanely "for you, that in the hope you will feel a due gratitude to him for his be-"nevolence, I will for this time overlook your offence." The punishments which he substituted for the lash were of many kinds, such as watering the grog, and other modes now happily general in the navy; among the rest, was one which the men particularly dreaded. It was the ordering any offender to be excluded from his mess, and be employed in every sort of extra duty, so that he was every moment liable to be called upon deck for the meanest service, amid the laughter and jeers of the men and boys. Such an effect had this upon the sailors, that they have often declared that they would much prefer having three dozen lashes, and to avoid the re-

currence of this punishment, the worst characters never failed to become attentive and orderly.'

Hence, then, we have an experimental proof, that, even manned as our ships were last war—when they were so disgracefully made receptacles for common felons,—when United Irishmen were distributed throughout the fleet,—when a strange degree of political excitement, and an unexampled contempt for authority, existed in all the subordinate classes of society—the obedience of seamen could be preserved by judicious officers, without having recourse to severe punishments. We shall subsequently see, that the abuse of the power to inflict it without restraint, which we contend ought to be confided to no mere mortal, was, owing to the incompetency of many of the officers, a frequent cause of insubordination and mutiny.

It has always, indeed, appeared to us, that severe Punishments, inefficient Officers, and Impressment, are component, and perhaps necessary parts, of the same vicious system. We first injure the seamen, and then we flog them to make them submissive under our injustice. If we abolish either impressment or flogging, the abolishment of the other must follow, we think, as a matter of course. Without impressment, it may be too true that we shall not get men for our ships, as long as they may be indiscriminately flogged by a youngster, whose merit consists in his friends having a vote in parliament. If we abstain from flogging, the men whom we force into the service, will probably, now and then, refuse obedience. And if we neither impress nor flog, we must have for the government of our ships judicious officers. He, therefore, who holds an opinion that flogging is not necessary, must be convinced that impressment may be got rid of; and must condemn the present practice of providing for the sons of the aristocracy, by giving them commissions in the navy. Although Lord Collingwood had digested no plan for abolishing Impressment, the following passages seem to show that he was of opinion it might, even in war time, be dispensed with. By taking proper precautions in peace, by paying and employing only seamen, not soldiers, in his Majesty's ships, and by training up boys in them, a sufficient supply of seamen, we believe, might be obtained, even at the sudden commencement of a war, to meet every possible exigency. Under this point of view, the following facts, showing in how short a time a youth may be made a useful man-of-war's man, is of great importance.

'The difficulty of manning the fleet had increased,' says the Editor, 'with the length of the war, and was particularly felt in the Mediterranean station, where the fleet had few opportunities of recruiting its numbers from merchant vessels. *Lord Collingwood had been ever adverse to im-*

pressment; and early after the mutiny at the Nore, had been studious to discover some means of avoiding the too frequent recurrence to that system. He had found that Irish boys, from twelve to sixteen years of age, when mingled with English sailors, acquired rapidly the order, activity, and seaman-like spirit of their comrades; and that in the climate of the Mediterranean, they often in less than two years became expert topmen; while adults, who had been little habituated to the sea, but torn by impressment from other occupations, were generally ineffective and discontented. He accordingly proposed to the Admiralty to raise yearly five thousand Irish boys, and to send a large proportion of them to his command, where he would have them taught and prepared in ships of the line, before they were sent into smaller vessels. By these means, and by the extension throughout the navy of that humane and temperate discipline, for which he was ever distinguished, and by which he had gained the honourable title of the Sailor's Friend, he was convinced that a large and effective force might be maintained, by which he intended, in the succeeding year, to have made more frequent and formidable attacks on the coast of France.'

'I some time ago,' says Lord Collingwood, in a letter to Lord Mulgrave, written on April 23, 1808, 'recommended, that as 'ships come out, they should bring 80 or 100 boys of fourteen 'or sixteen years of age. Such boys soon become good seamen; 'landsmen very rarely do, for they are confirmed in other ha-'bits. One hundred Irish boys came out two years since, and 'are now the topmen of the fleet.'

Impressment, however, lays its unsparing hands on useless landsmen as well as seamen; and notwithstanding the fact that they are always inefficient, it has long been the practice to receive on board his Majesty's ships any landsmen with whom hunger was at any time a more prevailing motive than the dread of severe punishment.

'I have got,' says Lord Collingwood, 'a nursery-man here 'from Brighton. It is a great pity that they should press such 'a man, because, when he was young, he went to sea for a short 'time. They have broken up his good business at home, dis-'tressed his family, and sent him here, *where he is of little or no* '*service.* I grieve for him, poor man.'

The editor, as we see, from Lord Collingwood's own letter, is wrong in limiting his recommendation to *Irish* boys; a selection which, in our opinion, would be objectionable on every account, except that they can be obtained cheaper than English or Scotch boys. But the navy possesses so many advantages, compared with many employments on shore, that we decry it unnecessarily when we consent to accept the service of the cheapest labourers, who are at the same time inefficient. It is a fact, we believe, that the Irish very rarely make such good seamen as

the English and the Scotch: And this is easily accounted for. They are not a commercial, and scarcely a maritime people. The great mass of the Irish seldom see a ship or a boat; and the fact, though very obvious, that merely seeing naval operations performed, enables many persons to perform them, is not enough considered, when we propose to man our ships with Irish. A boy who has frequently seen carpenters, tailors, ploughmen, or sailors at work, is able, with very little teaching, to drive a nail, sew a seam, hold a plough, *go aloft*, or row a boat. What some individuals must learn, at a great expense of time and exertion, is easily imparted to others; and at the present day, the consummate skill of a Watt, or the knowledge of a Newton, the result of their unremitted attention to single objects, has become, as it were, the common skill and every-day knowledge of whole generations, who acquire it almost without trouble. An English boy is already familiar with boats and ships. Britain being intersected with canals, as well as surrounded with the ocean, and having, from various causes, a much greater number of ships, small craft, and fishing-boats, than Ireland, the mass of its population is already half-educated for the sea. Of its legendary lore, also, the exploits and dangers of sailors form a conspicuous part. Its history is interwoven with naval triumphs; and even those among us who have never seen a ship, have learnt something of the sea from books, and have acquired from the success of our navy an attachment to it. The Irish have no such honourable recollections connected with the ocean; they have never gained great victories there, nor explored unknown lands; and they can have none of that traditional enthusiasm in favour of the navy which is possessed by our people, though checked by our barbarous system of impressment, and indiscriminate flogging. On these principles, we should as soon think of choosing opera dancers among the Laplanders, instead of the Parisians, as of selecting sailors from the Celtic youth of the sister island, instead of inviting into our service the ocean-born boys of our own coasts. It is too much the fashion, because men are cheap in Ireland, to look to that country to recruit our army and navy; and we encourage, by our conduct, the ignorant paupers there to continue the breed of paupers, as ignorant and as wretched as themselves. We would not refuse to take Irish boys on board our ships, but we would never entice them to enter; being persuaded that the youthful inhabitants of the rivers and coasts of England and Scotland, being already half sailors, will make the most efficient, enthusiastic, and, in the end, the cheapest seamen we can employ.

Having shown what was Lord Collingwood's practice and

opinions as to flogging, and what he thought of the possibility of rearing seamen in men of war, we shall proceed to state his opinion as to our present method of providing our fleet with Officers. The sons and relations of persons having parliamentary and other influence, are now, it is well known, pensioned to a great extent on the navy. For a long time the number of officers has been more than sufficient for a fleet twice as large as Great Britain ever sent to sea. The remarks we made on this subject in a former Number of this Journal, applied to the year 1822; and since that time the number of captains, commanders, and lieutenants, has been increased by eight, augmenting the war establishment and the war burdens of the country during peace. The sons and dependents, therefore, of influential people, and we say it with shame and regret, hide the pauperism they would be ashamed to avow, beneath the uniform of an honourable profession, the duties of which they are unable or unwilling to perform. The evils of such a practice were never better depicted than in the present work; and both Lord Collingwood's fate, and his remarks, prove its miserable results to be equal to its profligacy.

During the last two or three years of his life, he was anxious, as we have seen, to give up his command, and made repeated applications to be relieved, the answer to all which was of the following tenor:—'It is a justice,' says Lord Mulgrave, 'which 'I owe to you and the country, to tell you candidly, *that I know* 'not how I should be able to supply all that would be lost to the ser- 'vice of the country, and the general interests of Europe, by your 'absence* from the Mediterranean.' And again, 'I lament to 'learn that your health and strength have been impaired from 'the long and uninterrupted exertions by which you have so 'ably conducted the delicate, difficult, and important duties of 'your command. *Impressed as I was, and am, with the difficulty* 'of supplying your place*, I cannot forbear (which I hope you 'will excuse) *suspending* the recall which you have required, 'till I shall hear again from you, whether under the diminish- 'ed difficulties of your command you are still of opinion that a 'longer continuance at sea would be injurious to your health.'

We have already quoted the letter in which Lord Collingwood expresses his grief and surprise, that 'with such a list of admi- 'rals as we have,' there should be any difficulty in finding him a successor. The list of which he there speaks contained at that time upwards of *one hundred* admirals, equal in rank to himself; but not one of them being thought capable of filling his situation with honour to the country, he was suffered, in spite of repeated requests, or rather compelled, to die at his post.

Of the manner in which promotion is disposed of in the navy, the following letter, written to Lord Barham shortly after the victory off Cape Trafalgar, will give the reader some idea:—

'I beg to express my earnest hope that your lordship will take into consideration the peculiar circumstances of the late action, in which as much gallantry was displayed by the fleet, and a powerful armament of the enemy ruined in as short a time, as in any action; but what distinguished it from all others, is, that the usual rewards to the captains, arising from the sale of prizes, is almost all lost by the wreck and destruction of the ships. What government may please to do in this respect for the fleet, I cannot say, but none was ever more worthy of its regard. To the officers, among whom are many young men who are qualified for lieutenants, the most grateful reward would be promotion; and if your lordship would enable me to dispense it to them, by commissioning the four ships, and appointing the officers serving in this fleet, I should feel exceedingly gratified in having it in my power to reward so much merit as is now before me. I have mentioned this subject, in the full confidence that your lordship feels the same disposition towards them with myself, and in doing it I have only performed a duty which I owe to them.'

If ever there was an occasion in which interest should not have interfered with promotion, this was one; yet the Admiralty could not possibly disappoint their friends at home, for the sake of rewarding those who had gained the most glorious victory that ever graced our naval annals! Even before this letter was written, Lord Collingwood, it appears, had trespassed on the privileges of these idlers, for, on the 8th of November, Lord Barham wrote as follows to him:—

'In order to prevent disappointment to individuals, I must beg that you will *strictly conform* to the rules laid down by the Admiralty, by which they leave deaths and court-martial vacancies to the commanding officer, and reserve all others to themselves. I am the more particular on these subjects, because the neglect of them has created *much disappointment* to individuals, as well as *their friends here*. I shall trouble you, through my secretary, with a list of such persons as I wish to fill the Admiralty vacancies.'

To this communication Lord Collingwood answers:—

'I assure your lordship that in all the appointments I have made, I intended to be as regular as circumstances would permit. After the action several of the ships were short of lieutenants, when the duty was hard upon them. The Sovereign had only six, besides my flag-lieutenant, the first lieutenant being dangerously wounded, and the ship needing all the assistance that could be given to her. To supply these vacancies, I gave acting orders to young men who were recommended to me for their activity, and among them to a Mr Dickenson, whom I found in the Dreadnought, and removed with me into the Sovereign, because he had more knowledge of his profession than is usual, and seemed to be the spirit of

the ship when anything was to be done. The Victory's midshipmen are most of them on board the Queen, and they are persons for whom I feel a peculiar interest, because they were the Victory's.'

The offence, therefore, for which Lord Collingwood was thus rebuked, consisted in filling up a vacancy, the patronage of which the Admiralty keep in their own hands, with a meritorious officer serving with himself, instead of waiting till he could get hold of the youngster whom he had been ordered from home to promote. His former letter appears to have been very little attended to, for he writes to Lord Barham again as follows:—

'On the subject of the appointments, I hope your lordship will excuse my expressing my great disappointment that *the only officer* for whom I was particularly anxious, or whom I recommended to your lordship to be promoted, *has been passed over unnoticed*; and I can now say, what will scarcely be credited, and what I am willing to believe your lordship is not aware of, that I am the only commander in that fleet who has not had, by the courtesy of the Admiralty, an opportunity to advance *one officer* of any description. The misfortune I had in losing two friends in Captains Duff and Cooke, made it necessary that I should fill their places; which I did, as justice demanded, by promoting the first lieutenants of the Victory and Royal Sovereign. My first lieutenant stands where I placed him in the Weazle, covered with his wounds, while some of those serving in private ships are post-captains. Lieutenant Landless, the only person I recommended to your lordship, is an old and valuable officer; he has followed me from ship to ship all the war. A complaint which he had in his eyes prevented his going into the Sovereign, when I removed a few days before the action; but I did hope that my earnest recommendation to your lordship might have gained him favour. My other lieutenant, who removed with me into the Sovereign, was, happily for him, killed in action, and thereby saved from the mortification to which otherwise he would probably have been subjected. The junior lieutenants who came out in the Sovereign, were gentlemen totally unknown to me, and as I do not know their names, I cannot tell whether they are advanced or not. The commissions sent out to me for midshipmen of that ship, I have returned to the Admiralty, as she is in England.'

In writing to Lady Collingwood on the following day, he says, 'The only thing I had to ask was, that Landless might be 'included in the promotion, and I wrote *pressingly* to Lord Bar-'ham on the subject; *but it is not done.* And now I may say that 'they have not made one officer for me; for I made Clavell into 'a *death* vacancy, with which the Admiralty had nothing to do. 'All the young men are applying to go home, having *lost their* '*promotion by staying here*, and I am suffering as much mortifi-'cation as possible.'

And again, in a letter of the following year, 'I have not made 'a captain except Landless, since this time twelvemonth; nor 'has a lieutenant been removed from my ship except one, who,

'seeing very little prospect of succeeding here, applied to go 'home, and try his fortune elsewhere.'

The class of persons who were promoted, in preference to old and valuable officers, may be inferred from the following extract of a letter to Captain Clavell. 'Lord Mulgrave knows my 'opinion of you, and the confidence I have in you; but the 'truth is, that he is so pressed by *persons having parliamentary* '*influence*, that he cannot find himself at liberty to select those 'whose nautical skill and gallantry would otherwise present 'them as proper men for the service. A hole or two in the skin 'will not weigh against *a vote in Parliament*, and my influence 'is very light at present.'

Lord Collingwood, therefore, who was continually serving, and was the best judge of the merit of officers, had it not in his power to provide for those persons who served under his eye, who assisted him in gaining victories, or in performing those more irksome and less splendid services, which prevented even the possibility of victory, by confining the enemy's ships to their own port—because all the situations which should have been their reward, were given in exchange for votes in Parliament! If the persons thus provided for had turned out efficient officers, if they had been capable of serving the country after being thus unduly promoted—nay, if their services had not been a greater injury than paying them to do nothing, there would be less reason than there now is to reprehend the practice. But it cannot be expected that those who are sure of promotion and employment whenever they please to ask for it, will take any trouble to acquire the knowledge and skill necessary to fulfil their duties. They are therefore, even when afloat, and the half of them never go to sea, either indolent and supine—and then other officers, in fact, perform what they are paid for performing; or they have animal activity, and then the service suffers from their ignorant energy. Their men are harassed by unnecessary labour, arising from their want of skill—discontent ensues—severe punishment is inflicted, and desertion and mutiny follow—and then the perverse sailors, and even human nature generally, are blamed, and fresh reasons, arising from such improper appointments, are found by those who thus tamper with the best interests of the country, for continuing our present brutal system. On these points, Lord Collingwood's opinions, which were forced on him by what he actually experienced, and which are never unsupported by facts, nor ever made from any theoretical views, are particularly important.

Writing to Admiral Lord Radstock, on November 1, 1808, he says—

'When one considers that in all great bodies of men who are in any profession, a large proportion of them engage in it more from motives of individual interest than from public spirit, all laws, rules, and regulations, should have this principle in view, and the interests of those who really serve, should be advanced. It is not the case; which is the reason that the *ships have very inexperienced youths for their lieutenants*, and the surgeons have a premium, in a large half-pay, for going a-shore. I could say a great deal on this subject, if I were not afraid it would impress you with an idea that I am hard-hearted, which indeed I am not. The difficulty in getting officers is such, that the subject has been much upon my mind. *Few line-of-battle ships have more than two or three officers who are seamen;* the rest are boys—fine children in their mother's eyes, and the *facility with which they get promoted*, makes them indifferent as to their qualification. I have been made very happy in finding that my conduct, and the principles by which I was governed through some very delicate and interesting discussions at Cadiz, have been much approved by his Majesty's ministers.'

At the very time, however, that Lord Collingwood was complaining of a want of experienced officers in his fleet, there were nearly 3000 lieutenants on the Navy-List, of whom not 2000 were actively employed. The experienced officers either retired in disgust at seeing boys promoted over their heads, or begged, almost heart and spirit-broken, in vain for employment. There are many more passages which show in what manner commissions were bestowed, and what sort of officers those boys made, who were provided for on the establishment of the navy. Writing to Lord Radstock, on June 8th, 1806, Lord Collingwood thus expresses himself:—

'I am much obliged to you for your very kind and long letter of the 5th of May. Captain ——— appears to me to be as heavy a youth as I have seen. He has already got beyond the bounds of his ability; yet his father, I dare say, thinks him qualified to conduct a fleet. But if some regard be not paid to the ability of those commanders, their ships had better be in Porchester Lake. I have *sent several home, because they were not only of no use, but were constant plagues.*'

On November 7th, 1806, he writes to Mr Blackett:—'——— 'has been behaving very ill. He has been twice in confinement, 'and was to have been tried by a court-martial, but I begged 'him off, and he has written me a very penitent letter, promising 'amendment. The fact is, that these boys are made lieutenants 'too soon, and before their heads can bear the good fortune.' 'It is certain,' he writes to Lord Mulgrave, 'that your lordship 'cannot know many of those gentlemen *who are recommended by* 'their friends; one of them is turned off the quarter-deck for 'some unofficer-like behaviour. I think your lordship will ap- 'prove of his reforming before he is made an officer.' Writing to Lady Collingwood, he says,—'Offices in the navy are now

'made a provision for all sorts of idle people.' Of another person he says, 'he is *living on the navy*, and *not serving in it.*' Of the whole class he says,—'rich people become pensioners on 'the navy, rather than officers in it.' In another letter, he writes,—'——— was sent out again with all his infirmities; the 'object I suppose is, that I should make him a lieutenant, *which 'I will never do*, that he may have an annuity and a livelihood 'on the naval establishment; but my duty is to seek officers ca-'pable of doing the service of the country, and none others 'must expect advancement from me.'

The following brief extracts will show in what manner this class of officers waste the resources of the country, and injure the discipline of the navy. Writing to Lord Radstock, on March 10th, 1806, he makes the following remark:—

'I see the names of some very indifferent young men in the promotion, who never go to sea without meeting some mischief, for want of common knowledge and care. *Every three brigs that come here commanded by three boys, require a dock-yard.* The ships of the line never have anything for artificers to do. I have sent some home, because they could not be maintained in this country, and their services amounted to nothing. *Better to give them pensions, and let them stay on shore.*'

'My thoughts,' he writes to Sir James Saumarez, 'are continually bent on economizing, and doing all in my power to lessen the expense of sailing the ships.* The difference I observe in them is immense; some men who have the foresight to discern what our first difficulty will be, provide their ships by enchantment one scarce knows how, while others, less provident, would exhaust a dock-yard, and still be in want. I *do not think those gentlemen should go to sea;* they certainly do not regard or feel for the future necessities of the country.'

Here, then, we find these young gentlemen destroying the costly machines so heedlessly placed under their control; and at a time when all classes were subjected to the most severe privations, allowed, for the mere sake of *disguising the pensions they received, by an honourable name*, to waste the treasures of the country, and add to that debt, which, like the too heavy burdens placed on young animals, at once deforms and checks the

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*'Lord Collingwood's attention to economy with the public money, was equal to his disregard of all unworthy means of enriching himself. He urged the Spanish Junta, at the commencement of the Revolution in Spain, to send orders to prohibit the sailing of vessels, by capturing which he might have made a considerable sum of prize-money. During the five years he held his important command, his extraordinary disbursements, which include the expense of a mission to Morocco, postages of letters, &c. amount only to L.54.'—p. 357.

growth of our national prosperity. Now we shall find them strengthening, by their ignorance and cruelty, the necessity for impressment.

'Lord Collingwood stated,' says the editor, 'more than once, 'that some of the *younger captains* (although he admits there were many honourable exceptions,) endeavouring *to conceal, by* 'great severity, their own unskilfulness and want of attention, beat 'their men into insubordination, and that such vessels increased the 'number, but diminished the strength of his fleet.' 'We have 'had lately,' he says, in writing to a friend, 'two courts-mar- 'tial, in which such conduct was proved as leaves it doubtful whe- 'ther it was founded on *cruelty* or *folly*. The only defence which 'was urged, was the plea of *youth and inexperience*; yet *it is to* 'such youth and inexperience that the honour and interests of our 'country are intrusted.'

Now, is it to be endured that our seamen are to be beat into insubordination, and then that we should be required to believe that nothing but severe flogging can keep them in order,—because the aristocracy are to be pensioned on the establishments of the country? Can it be borne that the safety, the honour, and interests of this great empire, should be intrusted to youths, who, endeavouring to supply their own want of skill by cruelty to their men, so outrage their feelings that desertion and mutiny are continually apprehended, and in general only prevented by cutting off every opportunity of desertion, and all possibility of advantage from mutiny? The former inflicts additional privations on the men, and makes the service more irksome and more hateful; and the latter is only effected by an armed force, and at a great expense to the country. Mutiny cannot always be prevented; and it is not at all unlikely, that more than one British ship has been captured, (we know two of which this has been asserted with great probability,) in consequence of the men having been beat into insubordination. 'Everything,' says Lord Collingwood, writing to a First Lord of the Admiralty of a ship in which the crew had been so treated, 'appears to be quiet; 'but, in preparing for battle last week, *several of the guns in the* 'after part of the ship were found to be spiked, which had proba- 'bly been done when that contentious spirit existed,' p. 50. If this ship had suddenly encountered an enemy at night, the chances are, that, with part of her guns spiked, she would have been captured. Cutting the breechings, which renders, for a time, the guns equally inefficient, and, at the same time, dangerous, is, we believe, from experience, frequently done by the sulky men who are beat into insubordination by unskilful officers.

As a contrast to the selfishness which thus wastes the public resources to ensure parliamentary corruption, and which, after all, is as short-sighted as it is base, for it eats into the core of that spirit which must be encouraged to secure the safety even of corruption, we shall transcribe the following account of a life patriotically and cheerfully sacrificed in the country's service, while the family, whose comforts depended on its preservation, was allowed almost to starve.

'I have written to Lloyd's,' says Lord Collingwood in a letter to Lady Collingwood, dated March 29, 1806, 'about Mr Chalmers' family. He left a mother and several sisters, whose chief dependence was on what this worthy man and valuable officer saved for them from his pay. He stood close to me when he received his death. A great shot almost divided his body: he laid his head on my shoulder, and told me he was slain. I supported him till two men carried him off. He could say nothing to me, but to bless me; but as they carried him down he wished he could but live to read the account of the action in a newspaper. He lay in the cockpit, among the wounded, until the Santa Anna struck, and, joining in the cheer which they gave her, expired with it on his lips!'

A more natural and touching picture of heroism can scarcely be imagined; and surely the public has a right to expect that the mother and sisters of such a man should be comfortably, if not amply, provided for. Unfortunately, however, the revenue of the country has never been applied to hire the voluntary services of seamen, or to encourage their zeal. Nearly two years after the date of the former letter, and two years and four months after the battle of Trafalgar, in which 'this worthy man and valuable officer' lost his life, on February 10, 1808, Lord Collingwood writes as follows to the Earl of Mulgrave:

'I have received a letter from the sister of Mr William Chalmers, who was master of the Royal Sovereign, and slain in the battle, with the combined fleet, off Cape Trafalgar. His death reduced to *great distress* a family whose dependence for comfort, and almost support, appears to have been on the aid which he gave to an aged, infirm, and kind parent. He was himself a man of most respectable character, and a faithful servant of his country. His family has received the allowance that government has appointed for them in such cases, (we believe L.40 per annum,) and are yet in distress. What can I do for them but submit their misfortunes to the humane consideration of your lordship? and express my belief that if *any little pension* could be given to this now unprotected family, it would be most worthily bestowed.'

correctness of which we are assured, will probably weigh more with many who are in power, than a consideration of what is right. When, in consequence of our sending troops to Portugal, rumours of war were lately prevalent in the country, the members of a very large association, to which the most respectable merchant-seamen of this country belong, consisting, it is said, of between four and five thousand persons, had come to the settled resolution, should impressment again be enforced, to hire or occupy as many merchant vessels as were necessary, and remove at once and *for ever* to the United States of America. We are quite sensible of the desperation of such an undertaking; but we are fully assured of the determination of these iron-minded men. We know not whether they or the government, using, perhaps, desperate violence to prevent its execution, would, in such an event, be the greater sufferers,—but we know very well who would be most to blame.

Art. VI.—ΣΟΦΟΚΛΕΟΥΣ ΟΙΔΙΠΟΥΣ ΤΥΡΑΝΝΟΣ. *The King Œdipus of Sophocles, literally translated into English prose, for the use of Students. By T. W. C. Edwards, M.A.* London: Sherwood and Co. 1827.

THIS, though apparently a very unassuming publication, will be found not to be so in reality. We do not here allude to the self-complacency with which the author refers to his own powers, in a very extraordinary dedication, which we presume by this time he is of opinion might better have been spared. Nor do we think it could have escaped him how difficult it must be to give, by a 'literal translation,' an adequate idea of compositions of an extremely artificial and elaborate description, abounding, even in the ordinary dialogue, with startling metaphors, conveyed in compound words, and with elisions and allusions innumerable. But the pretension to which we allude, is that of a full, accurate, and scholar-like acquaintance with the author. The entire and naked sense of the original, though stripped of the gorgeous apparel in which it is clothed, must according to the author's plan, be perfectly given, or nothing is done at all; and to do that, is not the work of any persons who may choose to undertake it. The truth of this remark may, perhaps, be made apparent to our readers hereafter.

Although we are decidedly of opinion, that the Greek plays, as they are called, (meaning always the tragedians, as if Aris-

tephanes was not,) occupy at our universities more attention, and consume far more time, than they deserve—a circumstance connected, perhaps, with the great name of Porson, whose latest labours are well known to have been devoted to the publication of detached plays—though we think that there, probably, never was more laborious trifling than in the arrangement of Strophes and Antistrophes, and the due collocation of the words and syllables of which they are composed, yet we are not sorry for the opportunity afforded us of making some remarks upon the general subject.

The tragedy of the Greeks has come down to us in at least as perfect a shape as any part of their literature. Though Sophocles is reported to have continued writing to a very advanced age, and to have composed in all 120 plays, (according to some accounts many more,) of which seven only have reached us, and though many both of Euripides and Æschylus are also lost, a sufficient number remains to furnish us with accurate specimens, and to enable us to form a pretty correct opinion of the style of each master, and of the general state of the art. We are not aware, indeed, of any tragic poet of eminence having existed, whose works are entirely lost; whereas many great orators, philosophers, and poets, are known only by name, and by the commendations which we are tantalized to find bestowed upon them. Longinus seems almost to prefer to Demosthenes himself, a certain Hyperides, of whom, certainly, not more than one oration, if so much, is preserved. Cicero, though he openly incorporates detached passages from Aristotle, Plato, and others, with whose writings we have some acquaintance, yet has nowhere adopted any work of theirs; and making it, as it were, the text, composed a commentary, or expanded and amplified it, where heads and topics have been, in his opinion, omitted. He has, however, in one of his most elaborate treatises, condescended to perform this task with respect to Panætius, a writer of whom we should otherwise have known nothing. A whole region of literature has been annihilated by the loss of the works of Menander; who, in the kindred department of comedy, is considered, by universal assent, as having arrived at the very highest degree of excellence. This is the poet of whom we are informed by Velleius Paterculus, that he, 'together with Philemon and Diphi-'lus, who should be named with him rather as contemporaries 'than equals, invented, within the compass of a very few years, 'a new kind of comedy, and left it beyond the reach of imi-'tation.' And such was the delicacy and refinement of his wit, that Plutarch, if we mistake not, has declared, that his Attic

salt must needs have been collected from the very waves out of which Venus herself arose.

How far Tragedy was an indigenous production of Greece, or an improvement upon some foreign invention, is hardly left to conjecture. The probability must in all events have been in favour of its originality; for nothing is more remarkable in the works of genius and art which the Greeks have left behind them, than this quality. In no branch of their literature, is there any internal evidence of their having borrowed from others. No quotations—no allusions—no names of authors belonging to any other nation occur, so far as we are aware, to justify a suspicion that they were either direct plagiarists, or in the slightest degree indebted to foreign aid. Their claim, therefore, to the highest order of merit, invention, and discovery, seems undisputed. Cicero, accordingly, does not hesitate to pronounce Athens to be 'the inventress of all learning,'—'*illæ, omnium doctrinarum in-ventrices, Athenæ!*' And certainly it is improbable that, considering the extent and variety of Greek composition, there should nowhere transpire the slightest hint from which the contrary supposition can receive any support. How different, for instance, is it in the case of the Romans? Suppose the Greek authors and the language itself to have perished—suppose no history or testimony demonstrating the connexion between the two countries to exist, and that we had not been informed that

> Græcia capta ferum victorem cepit, et artes
> Intulit agresti Latio;

the constant reference to the names of Greek writers, by the great orator and philosopher, whose testimony we have just cited, would have proved, beyond all doubt, that he was himself, comparatively, in leading-strings, and treading in the footsteps of some distinguished predecessors, whose pupil he was, and for whom he entertained the most dutiful and grateful respect. Cicero alone, we say, if he had been the only Roman writer, would have furnished ample proof that he was working with materials ready made to his hand. Horace, however, leaves no room for doubt; but expressly attributes the invention to Thespis;* and his description of the apparatus for scenic exhibition at that time, which seems to have been upon the

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* *Ignotum* tragicæ genus *invenisse* camænæ
Dicitur, et plaustris vexisse poemata Thespis,
Qui canerent agerentque, peruncti fæcibus ora, &c.
De Art. Poet.

scale of a rural puppet-show now-a-days, certainly gives us the idea of the art in its infancy, and very soon after its birth.

The rapidity, with which the Grecian stage advanced from such low beginnings, to whatever perfection it acquired, is one of the most singular features in its history. Within a very few years after the performance was conducted in the manner alluded to, by two or three persons travelling about the country, in a waggon, 'with their faces besmeared with lees of wine,' their best and most famous tragedians had appeared. About half a century after Thespis, came Æschylus; and he, Sophocles, and Euripides, were contemporaries and rivals. It is not, however, any part of our purpose, to class and arrange them according to their degree of merit. Perhaps, it would not be easy, in a short and hasty description, to arrive at greater precision than by saying, that Æschylus abounds the most in poetry, Euripides in richness and feeling (Aristotle pronounces him to be τραγικώτατος,) and Sophocles in stateliness and polish. But, in reality, they bear to each other a very strong resemblance, and constitute, together, a distinct and characteristic school. It is true, perhaps, that, in the earlier poet, there is a greater appearance of rudeness and want of finish than in the others. Prometheus, in the play of that name, makes his appearance chained by Power and Violence (Κρατος και Βια) to a rock, for having communicated the secret of the ethereal fire to mortals; and, in that position, pours forth some very lofty and animated declamation (as Lord Byron and Cain well knew) against all authority,—celestial or earthly, very much, we dare say, to the taste of his Athenian audience. So that imaginary qualities,—purely unsubstantial agencies,—are introduced, by him, as persons of the drama. Even Sophocles, the most finished of the three, does not hesitate to bring down the immortals, and mix them with their inferiors on the stage;—as, in his Ajax, Minerva is made to open the play, and to hold a conversation of great familiarity with her protégé and favourite, Ulysses. A lofty and poetical turn of expression, however, in the dialogue, totally and even studiously removed from ordinary or colloquial language, and a certain forced, obscure, and (as they have reached us, in many instances) hardly intelligible strain in their Choral songs or odes, belong, very nearly, in an equal degree, to all: and with the rigid observance of the Unities, and the extreme simplicity of the Plots, may be said to constitute the character of the ancient drama.

We have not much to say about the Unities. All sensible people, indeed, we think, are now agreed that the importance

attached to them in the ancient system was truly fantastical and absurd. As to the unity of Place and of Time, the pretext for the observance was, that it was necessary to maintain *the illusion* on which the dramatic effect was, very gratuitously, supposed to depend. Now, as to Place, we cannot but think that if any sane spectator really believed that the proscenium of the theatre of Athens, which he took last night for the Greek camp before Troy, was, the night after, the Temple of Diana at Aulis, he must be very unreasonable if he refused to believe that it was, on any other night, the Areopagus in the first act, and the wall of Thebes in the second. The truth—and the obvious and indisputable truth,—is, that there is no actual illusion in the matter; and that all the spectators are perfectly aware, during all the representation, that they are in a well-known place of exhibition, and within ten minutes' walk of their own quiet homes; and that the change of scene, if not ludicrously and extravagantly frequent or extreme, shocks or disturbs them no more than the change of persons or of subjects,—with which also they would be shocked, if ludicrously or extravagantly varied. As to Time, again, if they can believe that the three hours they are in the playhouse, are actually twenty-four, one can see no good reason for their refusing, if necessary, to believe that they are twenty-four years. It is true, that in this respect the license may be more easily carried to an offensive and ludicrous excess, than in the matter of Place. The most decorous audience, we suspect, would laugh outright, if the infant Elizabeth were borne to her christening in one scene, and in the very next, and without any interval, were brought on, haranguing her troops to take heart against the Spanish armada. The abruptness of the transition in such a case would offend, however, not by dissipating any *illusion*, but by its unnatural and absurd omission of all intermediate occurrences; and would, in fact, produce the same offensive surprise, if it occurred in a grave history, which disdained all pretence to illusion. If one chapter in such a work, were made to end with a pompous account of the birth and baptism of this celebrated princess, and the next to begin, without warning or apology, with a long description of her signing the death-warrant of Queen Mary, we should be as much startled with the violence of the transition, as if we had witnessed it in a Play; and if we did not burst into laughter, it would only be, because that is a *social* indulgence, to which few people are in the habit of yielding in the solitude of their own apartment. The unity of Action is no doubt in a very different predicament; and in a certain sense ought no doubt to be observed, not only

by all dramatic writers, but by all other writers who have actions to describe, and are any way solicitous about being understood by their readers. It has confessedly no reference to theatrical illusion. It is no invention of dramatic critics; and it is not exemplified by the Greek tragedians, more than by the good writers of epic, history, or romance, of all ages and countries.

It is, however, a particularity, observable in the Greek tragedians, that the great events, and even the catastrophe, of the play, instead of being represented on the stage, are frequently made the subject of narrative, and a messenger is introduced, who is supposed to have witnessed the transaction, to make this report of it to the audience. This proceeds, no doubt, from an impression that the recital may often be attractive and pathetic, where the actual inspection would be shocking. The excesses committed by Œdipus upon himself, when he discerns the secret of his birth, the killing of his father, and the nature of his connexion with Jocasta, in the 'Œdipus Rex,' which may be called the first part of Œdipus; his death, or apotheosis, or whatever it is meant to be, in the second part, or the 'Œdipus Coloneus;' the pretended death of Orestes, in the Electra, introduced for the purpose of lulling his enemies into security; the sufferings of Hercules, in the Trachiniæ, from the poisoned shirt; the violence of Ajax, during his insanity, from the loss of the arms of Achilles, by the decision of the Greeks, in the several plays of Sophocles above mentioned, and the fatal duel of the rival brothers, Eteocles and Polynices, in the Phœnissæ of Euripides, are all *reported* upon this principle, and not otherwise communicated to the audience. In the Electra of Sophocles, there is a sort of intermediate case: The spectators are apprised of what is going on by *the voices* of the actors in the drama. The dreadful purpose of Orestes is sufficiently indicated before: He is traced into the house, and then Clytemnestra is overheard, in short and broken sentences, calling upon her son for mercy, after she has been wounded, till a silence ensues, which leaves no doubt as to what has happened! And if terror be one of the objects of tragedy, this, surely, must be admitted to be conceived and executed with great power: For we can scarcely conceive anything more truly terrific than the manner in which the imagination is thus left to supply all the particulars of the death of a mother by her son; the certainty, at the same time, being as great, as if this most appalling and horrible act had been committed upon the stage.

There are two methods, according to Aristotle, of conducting the business of a play; 'the one is by actual representation of 'the incidents on the stage;' the other is, by the practice to

which we have been adverting, as so prevalent with the Greeks, of narration; and to the latter, Aristotle gives a decided preference, and considers success in it as the higher order of merit. For, according to him, 'the piece ought to be so constituted 'that the audience should feel both terror and pity at what has 'happened, from the very nature of the agents, even without 'actual inspection.' *Ἔστι μὲν οὖν τὸ φοβερὸν καὶ ἐλεεινὸν ἐκ τῆς ὄψεως γίνεσθαι· ἔστι, δὲ καὶ ἐξ αὐτῆς τῆς συστάσεως τῶν πραγμάτων; ὅπερ ἐστὶ προτέρου, καὶ ποιητοῦ ἀμείνονος. Δεῖ γὰρ, κἂν ἀνευ τοῦ ὁρᾶν, οὕτω συνεστάναι τὸν μῦθον, ὥστε τὸν ἀκούοντα τὰ πράγματα γινόμενα καὶ φρίττειν καὶ ἐλεεῖν ἐκ τῶν συμβαινόντων.* ΑΡΙΣΤ. *περι* ΠΟΙΗΤ. Horace, on the other hand, is of opinion, that the ear is less 'faithful' than the eye in conveying strong and vigorous impressions. Between two such authorities it is at all events safest to take a middle course; and we hold, accordingly, that a due admixture of both methods would be the most efficient. If there are cases, like that, for instance, of the slaughter of Clytemnestra by Orestes, in which the narrative method may be resorted to with advantage, it must, surely, be conceded, on the other hand, that for intensity of interest, and strength of feeling, the preference ought generally to be given to actual exhibition. We shall be slow to believe that any description, however faithful, and however adorned by all the powers of composition, could work up a picture so definite and identical, as to be compared with the heart-rending, and, as it is sometimes thought, excessive agony, which the sorrows of Belvidera, particularly at their close, represented as we have seen them represented, are calculated to excite. But it by no means follows, that, because pity and terror are excited, in the most eminent degree, by the fatal catastrophe of her delirium, and the horribly appropriate ravings of her burning brain, all such scenes are to be attempted or commended. All swearing, says Longinus, is not oratorical, because the celebrated oath of Demosthenes, which has attracted the admiration of all succeeding ages, is so. For our own parts, we must confess, that we do not see any necessary and natural connexion between death and the end of the third volume of a novel, or the conclusion of the fifth act of a play,—though that connexion, in some modern novels, and in most English tragedies, seems to be assumed. Nor does it seem to follow, that, because death is the object of universal dread and aversion, and because terror is one of the objects of tragedy, death must, therefore, necessarily be represented,—and not only so, but the more deaths the better. If it be true that familiarity has a tendency to create indifference, if not contempt, it must be considered prudent to have recourse to this strong exhibition, as to drastic remedies in medicine, with caution and discrimina-

tion, and with a view to the continuance of its effect. We cannot help wishing that our own Shakspeare, who lays down such excellent rules for the guidance of actors, and cautions them so earnestly against 'overstepping the modesty of nature,' and the danger of 'tearing passion to rags,' had remembered, that the Poet himself has certain limits imposed upon him, which he cannot transgress with impunity. We should not then have observed, in the perusal of some of his plays, the marginal notice of 'dies,' with about as much emotion as a note of exclamation; nor, when, at the actual representation, we behold the few remaining persons of the drama scarcely able to cross the stage without stumbling over the bodies of their fallen companions, should we have felt our thoughts unavoidably wandering from the higher business and moral effect of the scene, to the mere physical and repelling images of fleshly mortality. We then should have been spared from the taunts and sneers (or, at least, from whatever justice is contained in them) of Voltaire, and the French critics, who do not hesitate to ascribe the toleration of such exhibitions, even in their most mitigated shape, to the remains of barbarism, the *vestigia ruris*, amongst us; their own criticism being, as we believe, essentially unfounded and mistaken, in assuming that it is the thing itself under all possible circumstances, and not the abuse of it by frequency and excess, which is barbarous and absurd.

But the great and leading characteristic of the Greek stage is the introduction and use of the Chorus. On this subject much learning has been expended, and, as the object of learned men usually is to discover merit in what is ancient, and faults in what is modern, we need hardly add, to point out its beauties and excellencies. But, in the face of all these commendations, we do not hesitate to pronounce it the most notable discovery for the interruption of all action, the extinction of all passion, and the introduction of the most relentless, hard-hearted, mortal prosing, that ever was made in any age or country. The laudable readiness of the chorus to inculcate maxims of morality and virtue has been much insisted on. But to what does this amount? Their 'wise saws and modern instances' really appear to us upon a level, for the most part, with the moralizations of a grave undertaker, or the elevations of a parish clerk. If it be true, that the tendency of the human countenance is 'to rejoice 'with them that do rejoice, and to weep with them that weep,'—

> Ut ridentibus arrident, ita flentibus adflent
> Humani vultus,—

then is the whole scheme, in principle and practice, utterly out of nature. Has the poet exerted himself to the utmost to produce intense excitement and sympathy, by the vehement and unmeasured lamentations of the sufferer himself, or by a highly coloured and exaggerated description of his woful case?—forth come the Chorus, composed of human beings, of countrymen and friends, and select that as a fit season to read a lecture of *morality*, in some such strain as the following:—'Alack and well-'a-day! poor human nature! thou art subject to sore evils!' Or, 'This man, indeed, seems to be in a bad case, *belike!*'—'ὡς ἔοικε!' Or, more probably still, 'Well! for our parts, we 'will never after this venture to pronounce any mortal safe from 'the danger of a reverse of fortune, until we see him fairly nail-'ed down in his coffin!' And then, at the next turn, as if the solidity of these observations had given them a title to indulge in excesses of an opposite description, they, not unfrequently, break out into a strain of high-flown, far-fetched, and unconnected rhapsody and bombast, to extract something like sense or meaning from which, has perplexed and puzzled many a pedant, and to arrange it in its due order and correspondence of strophe and antistrophe, &c. has troubled as many more.

If the whole piece had been given in Song, and the chorusses introduced as Airs,—if the Greek plays, in short, had been exactly like modern Operas, we should know a little better what to make of them. But it is certain, we take it, that this was not the case. There is no reason to think, that the dialogue was delivered in recitative, or with any accompaniment; and, though the persons of the chorus probably did dance and chant a little, it has never been pretended that the choral songs were actually performed, with full bands, and symphonies, and variations, like the airs of a modern opera. They were undoubtedly all of them substantially recitations, introduced for the sake of the meaning, or, at least, the poetry, they displayed; and professedly for the purpose of helping on the action of the piece, with which they so miserably interfere. We must be permitted, therefore, to abjure this heresy of the Attic stage; and, reserving our admiration for the real merit, with which the literature of Greece abounds, rejoice that an incumbrance upon the drama, injurious to, if not destructive of, some of its highest objects, has been shaken off by the improved sense and taste of modern times.

The Plots in these tragedies are, usually, of a very meagre character, and exhibit but little of novelty or invention. If history or tradition has been followed, it is the utmost merit they can lay claim to. 'The tale of Troy divine' has furnished ma-

terials for nearly twenty plays; and the real, or imaginary, misfortunes of Œdipus and his family, little short of half that number. Provided there was an opportunity afforded for the introduction of lofty and high-toned declamation, there seems to have been little care about anything else. The preservation of character, and the adaptation of the speeches to the persons, which may often give great merit to what has, otherwise, none, are generally quite overlooked. That a country squire should say to his parson, that he believed he did know something about public affairs, or that a country knight should observe to the keepers of Westminster Abbey that they must keep a sharp look-out after their kings, or that the Whigs would run away with their bodies, as they had already done with the head of one of them, seems nothing extraordinary, nor is the observation, in either case, novel or profound; yet when those speeches are attributed to Squire Western by Fielding, and by Addison to Sir Roger de Coverley, and introduced, as they are, by those distinguished writers, that reader's taste is little to be envied, who can be insensible to their point and effect. In these tragedies, however, there is little that is individual, or truly characteristic. The moral speeches might be transferred from Œdipus to Creon, or from Creon to Theseus, and nobody would feel that any violence had been done to the character, or the merit of the speeches diminished.

Attention, also, and interest languish, from a want of variety. The second part of Œdipus contains little but the lamentations of that unfortunate prince upon his miserable lot, though one might have supposed that the subject had been tolerably exhausted in the first. The story of Philoctetes consists of his sullen continuance at Lemnos, and the attempts made to persuade him to go to Troy, and all the pathos is confined to his unfortunate lameness. Accordingly, through the whole play, he goes about with his sore foot, whining and repining, uttering imprecations on his supposed enemies, and bitterly bewailing himself. In the Trachiniae, Hercules is similarly afflicted; except that the sore lies in his back, instead of his foot, and the cause of it is a poisoned shirt, instead of a poisoned arrow; and he too conducts himself, under his misfortunes, much in the same manner as Philoctetes. The complaints of the hero and the demi-god, which constitute the whole of the pathos in each piece, are nearly upon a level, and have nothing in them peculiar or remarkable; but we are forced to distinguish them by the seat of the disorder, somewhat reversing the apothegm,—ex pede Philoctetem,—ex humeris Herculem! The expedients for exciting pity and terror,

in Ajax, 'the whip-bearer,' are the outrages committed by that insane warrior upon the cattle of the Greek commissariat, which he wickedly puts to death in defraud of those banquets, at which he himself, according to the true historian of the Iliad, had been accustomed to play a distinguished part. These moving incidents are diversified only by the selection of a particular ram, which he had spared from the indiscriminate massacre, merely for the purpose of flagellation; and that discipline he is represented as having daily and duly administered to the unfortunate animal, under a whimsical, but pleasing delusion, that he was inflicting the chastisement upon the person of his arch enemy Ulysses!

The Œdipus Rex does, indeed, furnish a striking exception to the general poverty of incident which we have been noticing. It has been frequently asserted, and we think justly, that no play in any language contains so great and increasing an involution of plot, and an evolution of it, by means, so perfectly natural and probable. The response of the oracle, which attributes the miseries of Thebes to the cherishing the murderer of their late King, Lais;—the exertions of Œdipus to discover the secret, and his anger with Tiresias, the prophet, for not plainly pointing out the offender, and the denunciation against himself which is thus drawn down by his importunity;—the light, which, gradually, breaks in upon the transaction by the very anxiety and endeavours of Jocasta to satisfy Œdipus that he could, by possibility, have no concern with the death,—a light, which is, for a time, obscured, but finally settles fully upon Œdipus, and points him out as the person, are all managed in a manner deserving every commendation. Having, however, bestowed these praises upon the conduct of this play, we must observe that its moral is eminently crooked and perverse. Instead of punishment and suffering being awarded, in the end, to apparently triumphant guilt, they are inflicted upon a prince of most amiable and praise-worthy conduct, grieving at the distresses of his country, and devoting himself, with heroic courage, to its relief, and who, in truth, had been guilty of no crime. Of his father he had no knowledge; and he killed him, by misadventure, or strictly in self-defence, in an affray brought on by the father, after he (Œdipus) had been driven off the highway, and struck without any kind of provocation. In the subsequent most horrible connexion with Jocasta, he was equally unconscious of wrong, and guiltless as to intention. No feeling of poetical justice, therefore, comes in to our aid, to carry off and mitigate the intensity of distress in which he is involved. He is the mere victim of

Destiny, and is made an example of, not in consequence of his misconduct, but out of compliment to the decrees of fate. This we are told, indeed, was the ancient notion of pathos and poetical justice—and we admit the fact, when we venture to insinuate that the ancient notion was absurd and unnatural.

The observation of Horace, as to the choice of a subject, seems to be as well-founded, and to contain as much good sense, as any rule of criticism with which we are acquainted. This advice is either to adopt what history or tradition has established, or to strike out into a new line, and have recourse to discovery and invention—but not to mix both. Fiction destroys the faith which ought to be due to history; and history imposes too much restraint on the freedom of fiction. Whenever your subject is classical or historical, you must take it * *as it is;* if it be *your own*, it is, at least, unencumbered and free, except from those regulations which good sense and good taste impose upon every species of composition. Whenever Achilles is selected as the hero, or is introduced at all into your piece, you are constrained to make him correspond with the great prototype, and he must be 'ardent, passionate, inexorable, brave,—deny that laws were 'made for him, and appeal, on all occasions, to arms,'—in short, he must be Homer's Achilles. And so of the rest. Your Medea, your Io, your Orestes, must be cast in the mould, which time and authority have formed for them. These considerations, however obvious and simple, might not, perhaps, be unworthy the attention of some writers of great reputation, of the present day. With respect to the Greek tragedians, they seem to have been, as we have already seen, in the selection of the fable, hasty and indiscriminate enough. They have caught almost exclusively at rumour and tradition; and the higher effort of invention has, so far as we are aware, hardly been attempted. Prometheus, though little human, approaches, perhaps, more to a creation than any other, however conformable it may be to some wild story which was prevalent respecting him. In this particular, they bear a strong resemblance to our own Shakspeare. He, also, has resorted to general history, a legend, or a ballad, with little apparent preference. It is well known what

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* Aut *famam* sequere, aut sibi convenientia *finge*,
Scriptor; honoratum si forte reponis Achillem;
Impiger, iracundus, inexorabilis, acer,
Jura neget sibi nata; nihil non arroget armis.
Sit Medea ferox, &c.

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wretched work the critics have made of it in their attempts to discover what he proposed to himself, by his philosophical, whimsical, pensive, musing, half-maniacal Hamlet; and that the best solution seems to be, that he actually meant nothing; but that, having taken up some meagre narrative of we know not what 'noble Dane,' he poured out, upon a slight and ordinary subject, from the stores of his never-failing and transcendent genius, beauties and excellencies, which as much surpass the operations of ordinary faculties, as to account for the production of them defeats and baffles the rules and calculations of criticism.

To give, by general description, an idea of particular plays, is impossible, and would be, in a great degree, useless, if possible. Disposed, however, as we have shown ourselves to be, not to overrate them generally, we must say, that it would be a cruel act of injustice to allow the literal translation of Mr Edwards in any way to affect our estimate. In the Phœnissæ of Euripides, the rival brothers, 'les frères ennemis,' Eteocles and Polynices, are introduced discussing angrily their pretensions to the throne; and the controversy is carried on with a variety, animation, and eloquence worthy of the reputation of a writer, of whom it has been observed, that every line contains a precept, and that his charms and graces were such as to procure for some Athenian prisoners their deliverance, merely because they had the honour of belonging to the same country. The scene we are alluding to has this further recommendation, that their mother, Jocasta, acts as moderatrix between them, instead of the Chorus; and her fond impartiality and affectionate endeavours to soften down the points of animosity, which are admirably depicted, form a striking contrast to the odious generalities which that dull mob would not have failed to pour forth, according to custom. The Antigone of Sophocles, which we might well have noticed as another instance of the slender structure of the Grecian plots, (the whole business of the play respecting the funeral of Polynices, and the only question being whether he should be buried or not,) brings the two sisters, Antigone and Ismene, upon the stage; and the dialogue between them is little inferior to that of their brothers in the Phœnissæ. The generous devotion and hardihood of purpose exhibited by the heroine, in spite of the threats and prohibitions of the ruling powers, are finely opposed to the time-serving and accommodating spirit of the other sister, and produce an interest beyond what the subject could be supposed capable of. The sneers, and taunts, and triumph of Jocasta, in the principal play of Sophocles, when the natural death of Polybus had, as she trusted, taken away all credit from

the predictions of the oracle, that Œdipus should be his father's murderer, are admirably conceived; and her being, inadvertently, led, in her very exultation, to give the first clew to the fatal secret, is conducted in a manner that has never been surpassed on any stage. In the Orestes of Euripides, his 'fit 'comes again,' under circumstances peculiarly touching, and his distempered visions, whilst under its influence, are depicted with a power of fancy and poetical exaggeration perfectly horrible. He is conversing with his sister in a manner apparently quite rational, and the first intimation of any failure is by her discovery of a wavering or 'disturbance' in his eye, (ὄμμα σὸν ταράσσεται!) which is speedily followed by a full exhibition of his madness, in which he is represented as mistaking her, of whose watchfulness and tenderness he was fully sensible, for one of the 'gory-eyed' monsters, whom his mother was setting upon him, (literally 'shaking at him,') and who are seizing hold of him to cast him into Tartarus. Much, however, and justly, as this truly poetical and vigorous passage has been celebrated, it is impossible, we think, to doubt that it must yield to the return of intellect in King Lear, where the aged, care-worn, heart-broken monarch begins to recognize her, 'faithful found amongst the faithless,'—his beloved daughter, Cordelia. We cannot resist the opportunity of renewing the admiration and pleasure of our readers, by laying before them this exquisite piece of nature and pathos. He is, at first, under the influence of his madness—

'*Cord.* How does my royal lord? how fares your majesty?
Lear. You do me wrong to take me out o' the grave:
Thou art a soul in bliss, but I am bound
Upon a wheel of fire, &c.
Cord. Sir, do you know me?
Lear. You are a spirit I know;—when did you die?'

The poor old man, still under his delusion, is then about to kneel to his daughter, which she, of course, tenderly prevents.—

'—No, Sir, you must not kneel.'—

Then comes the passage, to which we have been more particularly alluding, and which no man, since the beginning of the world, but Shakspeare, could have written.

'*Lear.* Pray do not mock me;
I am a very foolish fond old man,
Fourscore and upwards,—and, to deal plainly with you,
I fear I am not in my perfect mind!
Methinks, I should know you, and know this man,
Yet I am doubtful; for I'm mainly ignorant
What place is this, and all the skill I have
Remembers not these garments; nay I know not,
Where I did lodge last night. Do not laugh at me,

> For, as I am a man, I think this lady
> To be my child Cordelia.
> *Cord.* And so I am; I am,' &c.

Wisdom was the distinction attributed to the Greek tragedians by their countrymen. Euripides and Sophocles had the honour to be classed, next after Socrates, 'the wisest of the human race.' The response of the Oracle gave the precedence to the Sage, the second place to Euripides, and the third to Sophocles. Σοφὸς Σοφοκλῆς, σοφώτερος Εὐριπίδης, πάντων δὲ σοφώτατος Σωκράτης. Demosthenes, also, in his oration against Æschines, accusing him of having been bribed to betray his trust as an ambassador, quotes a speech of Creon, from the Antigone of Sophocles, with much approbation, and dignifies the poet with the epithet of 'the wise.' We notice this cursorily, and without enlarging upon the subject, merely to illustrate what we have advanced as to the high tone of sententious and imposing declamation, and moral and political maxims, with which their plays abound, and which must have occasioned the compliments alluded to; for, so far as sagacity and discrimination in the invention or delineation of character are concerned, we have already seen that they would have ill applied.

But the chief distinction of the Greek stage is the effect which it has produced upon the taste of modern times. The literary world (speaking very generally) may now be considered as divided into two factions, one of which comprises the English and the German, and the other the French. The former are the advocates of the English stage, or, in other words, of Shakspeare; the latter, of course, prefer their own, and the Grecian. For we identify them. It is true, indeed, that Voltaire observes that Corneille formed himself, and that Euripides and Sophocles formed Racine. But it is not Racine merely, though everybody knows in what high, and in many respects just, estimation he is held in his own country. He certainly is, so far as he is able, as Attic as Athens itself. The same stories, and even names of plays; the same observance of the unities; the same management of the same materials, and observance of the same forms, even to a disposition to revive the Chorus; the forcible abstraction of whole scenes of Euripides for his own use; his boast, in the preface to the Iphigenie, that the same things pleased the Athenians and the Parisians, sufficiently demonstrate the school to which he belongs. As a still further proof of the French Græcism, if indeed it had not been avowed, we may notice that the Philoctetes of Sophocles (the wordy and inactive Philoctetes, the plot of which we have already given in half a sentence) was

translated, Chorus and all, by La Harpe, a little more than half a century ago, and the success of it in representation, as we learn in his life, was complete. And this is the more probable, because Talma selected this character, amongst others, for the exhibition of his great powers in this country. If any one of the Athenian play-going public (which at Athens meant, as it still does at Paris, everybody you might chance to meet,) was asked, what was the first requisite in tragedy? his answer (resembling that of Demosthenes as to action in oratory) would, probably, have been—Composition. At Paris, we suspect, the answer would be the same. The solemn and *stilty* tread of the Athenian buskin was sustained by highly artificial and curiously wrought Iambics. An attempt is made to support the same step in France, by verses equally elaborate, making up for their poorness of sound, by the constant adoption of rhyme. In the Greek tragedy, there is, usually, a strict observance of decorum and propriety;—so there is in the French. In the Greek tragedy, there is, generally, a cautious avoidance of improbabilities and extravagancies;—there is the same in the French. Amongst the Greeks, the allusions to the beauties of nature, and a rich and glowing description of them, such as we find in Homer, Milton, and Shakspeare, are extremely rare;—so it is with the French. In the Greek tragedy, there is, in the main, a deficiency of business and of feeling;—is not this, in a great degree, true of the French? The last particular, which we shall notice, is not one of similarity. Upon the Greek stage, there is neither love nor gallantry. Upon the French, there is as much as possible. But we shall pursue the subject no farther. We are aware that it admits of little novelty, and still less since it has been so learnedly and copiously treated by Schlegel, whose work we noticed, with much approbation, in a former number. (Vol. xxvi.) In conclusion, however, we would just observe, that there are obvious symptoms of relaxation, on the part of the French, from the rigour of their ancient school, and the exclusive and proscriptive criticism of the age of Louis the Fourteenth. The great Actor, to whom we have alluded, whose recitation was so generally and deservedly admired, instead of making the rhymes prominent, and obtruding them on notice, endeavoured studiously to make the end of each line slide into the commencement of the next, to conceal, as much as possible, the recurrence of this eternal jingle, as a defect. Another symptom is, the unbounded applause which they are showering down upon our countrymen, for their performance of Venice Preserved, Romeo and Juliet, and Jane Shore; in all which, the denounced and prohibited barbarisms are exposed in their most

aggravated form to the eye of Parisian refinement, and not merely tolerated but approved, for the sake of the interest, the pathos, and the poetry exhibited, in different degrees undoubtedly, in those pieces. And, above all, publications are now constantly appearing, in which the question is discussed with the utmost freedom; and the necessity of verse, and still more of rhyme, to constitute a perfect tragedy, and to produce the greatest effect, is confidently denied, for reasons which seem to be unanswerable.

Without exclusively applying it to the French drama, we may say, generally, that there is an antipathy between passion and declamation, as much as, in metre, according to the critics, between the Trochee and the Iambic. (Ὁ τροχαῖος ἀντίπαθυς τῷ ἰαμβείῳ.) The connexion between them, indeed, is so inseparable, that distraction is become almost synonymous for sorrow. Who ever knew grief loquacious, or real distress venting itself in well-adjusted rhyme, and epigrammatic point? Composition implies ease, if not enjoyment,—it is a luxury. They who feel very strongly, or who suffer severely, have no time to consider carefully what they say, still less to ponder and deliberate how they shall say it best, 'Whenever,' according to Schlegel, 'the tra-'gic hero is able to express his pain in antithesis and ingenious 'allusions, we may safely dispense with our pity.' Rousseau does not hesitate to declare his opinion, that, in order to produce the greatest effect, and to create the strongest impression upon the person to be won, there ought to be derangement, repetition, disorder, minute, and apparently tedious detail, eternal beginning, and no ending, and almost every other sin against the established rules of criticism, in order fully to convince the person addressed that one subject only was in the full occupation of the mind of the writer, to the absolute exclusion of every other. That the composition should rise in polish and ornament, and the speeches increase in length and pomp, as the interest of the scene, or the suffering of the characters, increases, as in the French tragedies, is, notwithstanding their observation of the unities, as contrary to real life and the conduct of human affairs, as any of those improbabilities which they so much plume themselves upon avoiding. It is little less consonant to what we have ever known or can imagine possible, than the interruption of the bustle and heat of the battles in the Iliad, to give the antagonist heroes an opportunity of killing each other by long and heavy sermons, instead of long and ponderous lances. By what magic was the flight of missiles, and the slashing of swords, in an infuriated *melée*, suddenly suspended, to give Glaucus and Diomed an opportunity of saying so much, and so very little to the purpose?

In what respect was this more possible, than that any of the distinguished chiefs (Picton, we will suppose, and Ney, or even the commanders themselves,) in the last conflict in which they were opposed, should have chosen the heat of one of those furious onsets, in which the soul of every man was in his sword, to argue each other into submission, by the force of pure reason, and the deductions of sound logic? Of a similar, and not inferior absurdity, is a well-selected analysis, and pointed commentary upon, the leading passages of his life, and even of the circumstances which have led to his catastrophe, from the mouth of a dying man. Hotspur, after having received a fatal 'thrust from a 'small sword,' is made to descant upon the declension of his fortune, and the obscuration of his glory by the rival Harry, and then to break out into certain abstractions about time and thought, which are fortunately interrupted by the stoppage of his breath. Hamlet, with the 'black tide of death' freezing in his veins, discourses calmly about things in general, and, like Hotspur, 'prophesies,' till he is interrupted by the poison. Othello, again, actually expires in a pun,—that (as it has been enviously observed) 'being the fatal Cleopatra for which Skakspeare lost 'the world, and was content to lose it.'

> 'Oth. I kiss'd thee ere I kill'd thee.—No way but this,
> Killing myself to die upon a kiss.
> (*Falling upon Desdemona, dies.*)'

We hate these things, because we disbelieve them,—*increduli odimus;* and if people must die upon the stage, and speak when dying, and until actually dead, we require something like those wild exclamations and broken sentences with which Belvidera harrows up the souls of the audience, at the close of her most wretched career.

But it is time to return shortly to the performance of Mr Edwards, and to justify, by a few references, the unfavourable opinion we have been induced to express of it. It is easiest, and will serve our purpose as well, to begin at the beginning.

> Ὦτεκνα Κάδμου τοῦ πάλαι νέα τροφὴ,
> Τίνας ποθ' ἕδρας τάσδε μοι δόαζετε
> Ἱκτηρίοις κλάδοισιν ἐξεστεμμένοι.

These, the first lines of the play, Mr Edwards translates thus:—'Oh! children, youthful progeny of Cadmus of-old, why ever 'these sedentary postures which ye *graced-as-to-your-hands

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* The words which we connect are so *compounded* in the text.

'with suppliant boughs, earnestly-in-lowly-attitude-exhibit to 'me?' This we consider a fair specimen; and it will save us, we think, from any further observation as to the appearance of the Greek in the garb of 'literal English prose.' But as to the meaning—Θοάζετε, Mr Edwards renders, 'earnestly-in-lowly-at-'titude-exhibit;' yet, from the note, he seems to be aware that the word implies *haste*, and its derivation from θόος, swift, makes that clear. He sinks that, however, entirely, and with it, as we apprehend, the force of the passage, which is intended to express the haste and hurry occasioned by pressure and necessity. Instead of '*hastily* exhibit,' which is the meaning, he substitutes 'earnestly-in-lowly-attitude,'—a mere redundancy, and not to be found in the original.

Ὁ πᾶσι κλεινὸς Οἰδίπους καλούμενος, (line 8,)

is, rendered 'Œdipus, surnamed the renowned by all,' and in 'the order,' which throughout accompanies the translation, to point out the construction, it is—ὁ κλεινὸς πᾶσι. From this we, of course, infer that Mr Edwards considers the word πᾶσι to depend upon κλεινὸς; whereas, we take it to be clear that it is governed by καλούμενος, according to the usual rule. We presume, therefore, that the passage ought to be construed, 'who are call-'ed by all (why *surnamed?*) the renowned Œdipus.'

Πόλις γὰρ, ὥσπερ πάντος εἰσορᾷς, ἄγαν, (l. 22.)
Ἤδη σαλεύει, κανακουφίσαι κάρα
Βυθῶν ἔτ' οὐκ οἷά τε φοινίουσάλου,

is thus given, 'For the state, as thou thyself seest, is already 'greatly convulsed, and, weltering in a sanguiferous tide, can 'no longer hold up its head.' Here the whole force of the original, which depends upon the metaphor, is lost. The sense would be much more nearly expressed in the following very plain English, 'The state labours greatly, *and cannot keep its* '*head above water*;' or, to come a little nearer to the elaborate, if not bombastic turn of the Greek, 'is no longer able to lift up 'its head above the depths of the bloody, or (if Mr Edwards 'will have it so) sanguiferous tide.' But the 'convulsed,' and the 'weltering,' &c., are far enough from being applicable to the comparison between the distressed state, and a vessel labouring in a storm, and upon the point of going down. 'The order,' also, which, by giving the construction accurately, ought to point out the meaning, is equally wide of the mark. The passage then goes on thus:—

Φθίνουσα μὲν κάλυξιν ἐγκάρποις χθονὸς, (l. 25.)
Φθίνουσα δ' ἀγέλαις βουνόμοις τοκοισί τε
Ἀγόνοις γυναι κῶν· ἐν δ' ὁ πυρφόρος θεὸς
Σκῆψας ἐλαύνει λοιμὸς ἔχδιστος πόλιν, &c.

and the translation is, 'blighted withal in the *unfruitful* capsules of the soil; *blighted*, too, in the pasturing herds,' &c. Now, why blighted? That a 'blight' upon the produce of the soil, and a 'blight' (if it can be so applied) upon the herds, &c., might have been causes, we allow, but the effect was, that the state was 'perishing.' That, therefore, which is its primary one, is the meaning of φθίνουσα here, and the departure from the common road seems almost to be on purpose to go wrong. Ἐγκάρποις is erroneously construed 'unfruitful,' its sense really being, 'containing the fruit.' Mr Edwards then goes on thus, 'Forasmuch as the fiery God, having grievously alighted *on* 'the city, *is now raging* a most loathsome pestilence,' &c. In the first place, 'forasmuch as,' seems to us too much to interrupt the enumeration of the particulars of distress. But let this pass. Mr Edwards, surely, upon reconsideration, will be of opinion that he has misconceived the conclusion of the passage. He makes πολίν depend upon ἐν, for he has in 'the or-'der,' σκῆψας ἐν πόλιν, and he treats ἐλαύνει as a neuter verb; whereas we apprehend that ἐν requires a dative case, and that ἐλαύνει governs πόλιν, as it has an active signification,—'The fire-'bearing God having alighted on it, is vexing, or harassing, or 'scourging the city.'

Again,

Νῦν τ' ὦ κράτιστον πᾶσιν Οἰδίπου κάρα, (l. 40.)

is translated, 'O *mind* of Œdipus, in all emergencies most able,' as if the head of Œdipus was here invoked on account of its having more brains in it than other people's. It is really singular, that it should not have been perceived that this is merely a respectful periphrasis for Œdipus, instead of the direct appellation, and in constant use. The opening line of the Antigone, is Ὦ κοινὸν αυτ ἀδελφον Ισμήνης κάρα, which is, in plain terms, 'O, sister Ismene,' and in this very play there is Ὦ φιλτάτου γυναικὸς Ιοκάστης κάρα, (l. 950,) and again, τεθνήκε θεῖον Ιωκάστης καρα, (l. 1235,) obviously in the same sense. Indeed, one would have thought that this last passage must have opened the eyes of Mr Edwards, except indeed he supposed that it was intended to intimate that it was the *head* only of Jocasta that was dead, and thereby to imply a doubt whether the other extremity might not be alive.

Ὡς τοῖσιν ἐμπειρόισι καὶ τὰς ξυμφορὰς, (l. 44.)
Ζώσας ὁρῶ μάλιστα τῶν βουλευμάτων,

'For with the skilful I ever see the results of counsels most un-
'erring.' So Mr Edwards translates the two lines. There is, also, another version commonly given, which runs,—'Forasmuch as I see even the events of counsels most prosperous with 'the skilful.' Now, it requires only a very moderate acquaintance with the language, to perceive that the emphatic word in the sentence is καὶ, and that its meaning corresponds pretty nearly to our word *even*. It makes no impression, however, upon Mr Edwards, and he glides over it with as little concern as if it had belonged to the tribe of νὺ, ῥὰ, κὲν, τόι, &c., which we occasionally discover in the Iliad, and chiefly when there is a chasm in the verse for them to fill up. The other translation does affect to give it a meaning; but why '*even* the event?' What more common than the event? And what way of judging of the success or failure of counsel, but by the event? Both these interpretations being to us perfectly unsatisfactory, we suggest the following:—'Forasmuch as I see *even* calamities 'most alive to those who are skilled in counsel;' or, in other words, 'forasmuch as I see that the greatest quantity of good 'may be extracted *even* from calamities, by those who are skilled in counsel.' If any of our readers should be of opinion that μάλιστα should belong to ἐμπειρόισι, the version, obviously, would then be, 'forasmuch as I see good extracted *even* from calami-'ties, by those most especially who are skilled in counsel.' If any should doubt the coupling of ἐμπειρόισι with βελευμάτων, their scruples will probably be removed, by being reminded that ἔμπειρος τοῦ πολέμου (skilled in war) is used by Thucydides.

Ὦ παῖδες οἰκτρὸι, γνωτὰ κ' οὐκ ἄγνωτα μόι, (l. 57.)
Προσηλθετ' ἰμείροντες,

Mr Edwards translates, 'Alas, my piteous sons, ye have drawn 'nigh *supplicating against* evils known, and not unknown to 'me.' Whereas we apprehend the meaning to be, ye are come '*desiring*,' or '*requesting*' things known, &c., the request being that 'he should find some relief,'—ἀλκην τιν' ἐυρεῖν ἡμὶν.—Supra, l. 42.

Ωστ' οὐχ ὕπνῳ γ'ἐυδοντά μ' ἐξεγείρετε. (l. 65.)

'Wherefore then ye are not arousing me, *as if sunk in slumber*,' (Mr Edwards.) The original, however, is, ye are not arousing me *sleeping* from slumber, not as if, but actually, from sleep.

Πολλὰς δ'ὁδοῦς ἐλθόντα φροντιδος πλάναις. (l. 67.)

'I have come to many a thought in the wanderings of mental 'care.' Thus Mr Edwards; anything but literally. The literal

translation is, 'I have travelled, or, having travelled many roads in the wanderings of thought,'—having thought of many schemes.

Καὶ μ' ἦμαρ ἡδὴ ξυμμετρούμενον χρόνῳ, (l. 73.)
Λυπεῖ τὶ πράσσει·

'And now *the day present, computed from the period of his depar-* 'ture, fills me with apprehension as to how he fares.' Is Mr Edwards quite sure that he has made ξυμμετρούμενον agree with the right substantive, and that the sense is not, I have sent Creon to Delphi, 'and he makes me uneasy, when I measure '(or measuring) the day by time, as to what he is doing, or how 'he fares?' There is nothing in the original to fix it *to the day present;* it may mean, measuring the day of his departure by time, *i. e.* reckoning the interval between that day and the present; or measuring this day by time, calculating the period between his departure and now. Or, what if ἦμαρ be used, generally, for period?

In the first Chorus, Apollo, Minerva, and Diana, are invoked, —τρισσοὶ ἀλεξίμορφοι προφάντε μοι, (l. 163.)—'*Ye three averters of* 'evil, I pray ye, timely appear;' it should be, 'may ye appear 'three averters of evil,'—may ye be on our side.—ἥνυσάτ' ἐκτοπίαν φλόγα πήματος, (l. 166.) is translated, 'ye *quenched* the noxious 'flame of wo;' it should be, 'ye drove out of the country.'—φροντίδος ἔγχος, (l. 170.) 'energy of thought;'—literally it would be '*weapon* of thought,' meaning, metaphorically, defence of thought. Again, (and it shall be our last instance,) the two following lines,—

Τίλει γὰρ ἤν τι νὺξ ἀφῇ, (l. 188.)
Τοῦτ' ἐπ' ἦμαρ ἔρχεται,

are thus translated: 'For if night at its close leaves aught be- 'hind, *it comes again with the day.*' Surely, this is a great mistake. The whole Chorus respects the ravages of the plague, and this passage is merely a continuation of the same subject. We apprehend the meaning to be, 'if the night leaves anything 'untouched, *upon that the day comes,* or, that the day attacks.'—'Si quid nox reliquerit hoc dies invadit.' Whereas, 'the coming 'again by day,' implies some respite and revival, instead of a continued and unremitting devastation. These observations upon the first two hundred lines of this performance, are, we presume, sufficient to satisfy our readers, that, if Mr Edwards would lay claim to accuracy, he must proceed to a careful revision. We, however, do not invite him to the task.

Whether the knowledge of the dead languages is not purcha-

sed at too dear a rate, is a question into which we shall not again enter now. The great and serious expenditure of the most valuable portion of life, in the prosecution of these studies, to the necessary exclusion of everything else, we have taken many opportunities of lamenting. On the other hand, to lead the growing curiosity and ardent energy of youth to the pure and living fountains, 'the integros fontes,' of Greece, from which all learning has flowed, will, we presume, be generally deemed an object deserving some sacrifice. How far a more compendious route, a royal road to this desired point, may be practicable, is another question, to which, on this occasion, we shall do no more than advert. Upon this subject, we, as yet, have our wishes, rather than opinions. But, whilst the present system is pursued, whilst so much time is devoted, and so much importance attached to an acquaintance with classical literature, that which is acquired at such immense cost, should, at least, be acquired thoroughly. There is no excuse for imperfect information. With such opportunities, and such preparation, proficiency is less creditable, than ignorance is disgraceful. Difficulties there are, undoubtedly, (and where are there not, when anything of value is sought for?) and those difficulties should be conquered. The bare conflict with them, and mastery over them, will produce an effect, which may be beneficially felt in the attainment of still higher objects. He who, in the construction of a Greek sentence, overcomes the obstacles opposed to him, by his own perseverance, and unassisted endeavours, is gradually forming a habit more valuable than the immediate success which has been achieved. How can it affect the interests of the world, (except so far as the clearness of the deduction and purity of the logic employed upon the subject are concerned,) whether the three angles of every triangle are equal to two, or to twenty right angles? or what human creature can it concern to know the number of impossible roots in any given equation, and whether they enter into that equation by pairs, or scores, or even by hundreds at a time? Yet the establishment of that, or any other proposition in the thorny path of knowledge, to which we have last alluded, being effected only by patient thought and steady application, operates as a mental drill and discipline, 'which 'may remedy and cure many defects in the wit and faculties in-'tellectual,' and make them more fit for continued, and therefore successful exertion. And so it is, in a greater or lesser degree, in whatever manner the understanding may be employed. That scheme, therefore, has no charms for us, which, without materially abridging the period of classical pupilage, has a tendency

to diminish the industry of the pupil; which, by teaching him to lean upon another for instruction and information, and the removal of every impediment in the way of his advancement, lays the foundation of indolence and inactivity, and indisposes him for personal effort and labour, without which, nothing ornamental, or useful, or valuable, ever has been, or can be acquired. Works, therefore, like this of Mr Edwards, unless perfectly executed, can confer no credit upon the supposed instructor; and, though they profess to be 'for the use of 'students,' are sure, however executed, to be of serious disadvantage to them.

Art. VII.—1. *An Exposition of the Natural System of the Nerves of the Human Body. With a Republication of the Papers delivered to the Royal Society, on the Subject of the Nerves. By Charles Bell, Professor of Anatomy and Surgery to the Royal College of Surgeons, &c. &c.* London. 1824.

2. *Appendix to the Papers on the Nerves, republished from the Royal Society's Transactions. By Charles Bell. Containing Consultations and Cases illustrative of the Facts announced in these Papers.* London. Longman and Co. 1827.

Among the large additions to knowledge, by which the labours of modern philosophers have been rewarded, it is satisfactory to find that the progress of Physiology, a science somewhat removed from the ordinary range of study, has not been stationary. In the busy search which has been made into all parts of the visible creation, the singular properties of the living beings it contains have not been overlooked. Whilst it is hardly presumptuous now to say, that the astronomer has obtained a key to the stupendous movements of the heavenly bodies, and has been enabled to measure their vast and never-ceasing wanderings, and to ascertain the laws by which they are rigorously confined; whilst the geologist, limiting his regards to that particular moving mass on which we live, has almost deciphered the mysterious history of 'the earth, and the water under 'the earth,' and traced the changes they have undergone in the old time, from the first reign of order to those silent and mighty operations by which even now the foundations of future continents may be preparing in the pathless sea; whilst zealous travellers have explored 'all the corners of the earth;' whilst the

nature of the atmosphere which envelopes it, of the electric fire which plays around it, of the vegetable productions which grow upon and beautify its surface, have been inquired into, and to some extent explained; the most wonderful objects which it comprehends, the *animals* which move upon the dry land, or soar in the air, or live in the measureless deep, numerous and diversified as they are, have been diligently and accurately examined, and this most exalted class of the works of the unseen Creator, which seemed to contain varieties illimitable and irreducible to rules, has been found to be devised in an order the most admirable, and to admit of a classification the most precise.

In the arrangement of the animal creation, naturalists have been unavoidably led into comparisons between its lowest classes and the more perfect of the vegetable tribes; and have universally arranged all living creatures in a series commencing with those least removed from vegetable life, and terminating in the class in which the intellectual faculties are most extensively developed, that is to say, in Man himself. Notwithstanding some late ingenious speculations concerning the functions of vegetable bodies, and the acknowledged difficulty of recognising a Nervous system in the lowest forms of animal existence, it is substantially true, that the basis of this classification is the super-addition to organic structure of an animating system of Nerves. It is the *Nervous System*, which, by imparting the powers of sensation, volition, and motion, and permitting some inlet of intelligence concerning the world about them, elevates all but the very lowest animals above the most highly finished vegetable: And although, as we ascend the animal scale, and find a more perfect organization always accompanied by a corresponding provision in the Nervous system, we often see these gifts unequally distributed, according to the necessities of different tribes of animals—strength of muscles, acuteness of one or more senses, or a larger endowment of intellect being given for the occasion—it is yet in the Nervous system alone that we can trace a gradual progress in the provision for the subordination of one to another, and of all to man; and are enabled to associate every faculty which gives superiority with some addition to the nervous mass, even from the smallest indications of sensation and will, up to the highest degree of sensibility, judgment, and expression. If man has been enabled to get dominion over the lower world, controlling many animals to various uses, and banishing others from the places of his habitation; if the fear of him and the dread of him is found, according to the covenant with Noah, ‘ on every beast

'of the earth, and upon every fowl of the air, upon all that moveth 'upon the earth, and upon all the fishes of the sea,' this has not been achieved by muscular strength, by superior swiftness or force, but by the mere superiority of his finer and more elaborate Nervous system; by the combinations which, through it, he can effect; by the knowledge which his nature is capable of receiving and manifesting by means of it, and which knowledge invests him with a power against which the lower animals vainly oppose their capacities either of escape or of resistance.

Comparative Anatomy teaches us, that the human body is throughout more finely constructed than that of other animals; that created beings form a series, beginning with few organs, and increasing in their number, complexity, and *finish*, up to man; that in man many processes are completed which are but sketched in the lower animals, and that several parts of his composition are more exquisitely wrought than theirs. But all these advantages become as dust in the balance, when we contemplate the system of *Nerves* with which he is endowed, contrasted as it strongly is with the lowest share of such a system, that seems compatible with life and feeling. Abstracting this from the rest of living structures, we find in those creatures which give the first indications of animal properties, a mere nervous thread, or ring, or some simple apparatus, either the origin, or not yet the origin, of nervous ramifications. As we advance, we discern an undoubted line of ganglions, then an orderly double column of at least two distinct parts, in other words, a spinal marrow; a cerebellum is then added; and lastly, a Brain; the latter being wanting in the lowest animals, but never found, even in monstrous formations, without the former. The brain is then observed progressively to be improved in its structure, and, with reference to the spinal marrow and nerves, augmented in volume more and more, until we reach the human brain—each addition being marked by some addition or amplification of the powers of the animal—until in man we behold it possessing some parts of which animals are destitute, and wanting none which theirs possess. Nature has given to brutes a mind equal to the positive wants of the hours and days of their existence; and providing them with internal senses or instincts, which securely guide and govern them, has left little or nothing to their determination. They are directed to the food proper for them, as the plant is endowed with power to push its roots into congenial soil, or to turn its leaves to the sun; but in the preparation of food they never become skilled. They build habitations, and sometimes with a great appearance of art, but the first ha-

bitation was as perfect as that of the present year; and even in these curious constructions they are as firmly bound by instincts which they cannot disobey, as are the fragile ivy and the creeping vine when they avail themselves of the support of sturdier trees. Man's power and scope of action are far more ample and noble; for notwithstanding some ambiguous appearances, it would be difficult to point out what is called instinct predominating in any of his external actions, from the cradle to the grave, save and except the solitary instinct by which he draws his first nutriment from the female parent, by a peculiar application of the lips, and modification of the respiratory function. To man is intrusted the nice and gradual perfection of all that his hand can accomplish, or his understanding comprehend. He alone aspires to subdue his animal propensities by his reasoning powers, and to submit his selfish feelings to the common and social good. Never ceasing in his progress towards greater degrees of knowledge and higher forms of virtue, he alone possesses the power of recording and fixing his acquirements and his progress by means of written signs. Alone intrusted with the element of fire, he employs this wonderful agent to effect changes in all that is around him, for his food, for his clothing, for his mental gratification, for every combination which luxury can desire, or taste devise. Possessing the faculty of expressing the movements of his soul, he enjoys exclusively the pleasures springing from the communion and interchange of feelings. Above all, he feels the ennobling consciousness of higher destinies; has a clear perception of moral excellence and duty; can estimate his relation to the world and to the Creator, whose attributes he reads in it; and has thus looked forward, in all ages and climes, to a life beyond and after this life. And all this superiority, all these faculties which elevate and dignify him, this reasoning power, this moral sense, these capacities of happiness, these high aspiring hopes, are felt, and enjoyed, and manifested, by means of his superior Nervous system. Its injury weakens, its imperfection limits, its destruction, humanly speaking, ends them.

Speculations of this kind, although they force themselves upon the mind of the coldest physiologist, and strongly attract attention to a system which is the medium of so great a superiority, can only be pursued with safety, and directed to useful ends, when the facts on which they rest are accurately ascertained; and in no department of inquiry is it more necessary to be aware, that in these elevated and shadowy regions of observation, the colouring of the imagination is too apt to be thrown upon every object that is discerned, and to hide from the investigator those difficulties which yet lie in the way, and which

must yet be overcome. To difficulties of no common description it must be attributable, that of all parts of the frame this has been the latest to be clearly described, or even rationally surveyed.

The texture and functions of the inferior parts of animal bodies, are, comparatively speaking, open to the gaze of all who choose to regard and learn, and were soon investigated with much success; but the secret springs and movements of nervous energy, of that power by which all the organs are animated, and the communication opened between the material world and the immaterial mind, are wrapped in almost impenetrable mystery; and none can hope to be a discoverer in this great field, unless his path be selected with more than common care; and unless, possessed of abilities of the first order, he applies those abilities with the utmost skill, and a perseverance quite indefatigable. For ages, the most celebrated anatomists had been baffled in their attempts, however assiduous, to unravel the mere structure of this finest part of the system; and physiologists of the greatest reputation had speculated concerning its functions in vain; nor have many years elapsed since, by the careful observation of the disposition of its minute parts, and of the order of their formation in man and in animals, something more of certainty has been given to anatomical description and to physiological theory.

It would be to little purpose to recount here the strange opinions formed concerning the uses of the Nervous system by the ancients. The imperfect cultivation of anatomy, the low state of physiological knowledge, and the superabundance of fancy which so often took the place both of careful dissection and observation, have conspired to render the suppositions of the older writers very uninstructive parts of scientific history. But when the structure and functions of the body were studied with more diligence and accuracy, (in the time of Galen for example,) not only was the controlling superiority of the Nervous system universally acknowledged, but the distribution and subdivisions of its power were also perceived; although it was not until long after that these first vague and accidental conjectures were wrought into anything like distinctness. Galen taught his contemporaries, that, by tying or dividing the recurrent branches of the eighth pair of nerves, the voice of an animal might be taken away. But many centuries passed away before the external senses, and the power of voluntary motion, were assigned to distinct portions of nervous substance. The Nervous system, however, was soon acknowledged to admit of three great divisions; the cerebral, the spinal, and the intercostal, or sympathetic, each with their prolongations of nerves. It was soon ob-

served, also, that these divisions were double, one side of the body precisely reflecting the other; and this system was found to be less liable than any other to departures from strict structural uniformity. Almost from the first casual inspection of animal bodies, the Brain was regarded as an organ of primary dignity, and, more particularly in the human subject, the seat of thought and feeling, the centre of all sensation, the messenger of the intellect, the presiding organ of the bodily frame. Some of these endowments were indeed occasionally disputed; and the feelings and passions were, by some among the ancients, as well as by some modern physiologists, believed to reside in the intercostal, very improperly called the ganglionic system of nerves; and, what is humiliating enough, a perusal of the works of Galen, concerning the mode in which the influence of the brain is diffused over the body, will satisfy all who are curious on these subjects, that this matter was as well understood seventeen hundred years ago as it is now. He believed the soul to be immaterial, but acting in the brain, at the origin of the nerves, and acting on the body through the animal spirit, which animal spirit was formed in the blood-vessels; so that, if for animal spirit we substitute nervous fluid, which means the same thing if it mean anything, we have precisely the theory of M. Le Gallois in our own day. This theory may, in truth, be traced through various disguises, like a simple air through many variations, in all ages; and it is not easy to foresee when or how it will be improved. As for the more aspiring doctrine, which caused much discussion but a few years ago, and according to which the soul is material, or a mere result and attribute of matter in certain combinations, it may be no less clearly read in Lucretius, and, before Lucretius, in Epicurus, who lived five hundred years before the time of Galen.

The spinal marrow, a kind of everted brain, next attracted attention, inclosed, even more carefully and strongly than the brain, in an osseous case, so contrived as to afford security, whilst it allowed of remarkably free motion. The streaming of countless branches of nerves through various and variously formed perforations of the anterior and inferior portions of the head; the regular origination between each of the vertebræ, of filaments from the spinal marrow, with the complication caused by another, and as it were an added system of nerves and ganglions, connected in their long course with all the successive spinal filaments, besides forming numerous unions with the cerebral nerves, ramifying in the thorax, and presenting, at these unions, new ganglions or plexuses,—and collections of nervous substance

among the most important viscera of the chest, as well as in the abdomen; all these circumstances being observed, although at different periods, and in slow succession, and not yet disentangled from what seemed to be inextricable confusion, did but more overload the anatomist with difficulties, and more reduce the physiologist to despair.

Even within our own time, although many great anatomists had devoted themselves almost exclusively to describing the brain, this organ used to be demonstrated by the greater number of teachers, in a manner which, however invariable, was assuredly not particularly useful. It was so mechanically cut down upon indeed, as to constitute a sort of exhibition connected with nothing. The teacher and the pupil were equally dissatisfied with the performance, and the former probably the most: the latter soon gave up the painful attempt to draw any kind of deductions from what he witnessed, and disposed of the difficulty as he best could, when he had to render an account of what he had seen. Up to this day, our memory is pained by the recollection of the barbarous names and regular sections of what was then the dullest part of anatomical study; which, although often repeated, left no trace but of its obscurity or its absurdity. Here an oval space of a white colour, and there a line of grey, or curve of red, were displayed; here a cineritious, there a medullary mass; here a portion white without and grey within; there a portion white within and grey without; here a gland pituitary, there a gland like grains of sand; here a ventricle, there a cul-de-sac; with endless fibres, and lines, and globules, and simple marks, with appellations no less fanciful than devoid of meaning.

The nerves were no less bewildering when shown after the old method. The first pair of nerves expanded on the os othmoides, had at that time never been believed to be anything but what they are, namely, the nerves of smell, and the reason of their being joined at the place of their expansion by a branch of the fifth, was not made a subject even of conjecture. Equal difficulties, and still greater complication, were to be encountered in tracing the ramifications and unaccountable conjunctions of the other nine pairs, which the unfruitful industry of the anatomists had successively brought to light; and when all these had been gone patiently over, there were between each of the vertebræ of the neck, of the back, of the loins, of the sacrum, successive pairs of nerves, invariably connected with the nerves of the brain, or with the great sympathetic nerve, and giving occasional origin to nerves destined to remote internal organs, or to the extremities. And when all these, with implications and interunions innumerable, had been considered, there was still left

the great sympathetic nerve itself, with its apocryphal origin, and absolutely endless connexions throughout the body.

The anatomist dissected, and toiled on in this unpromising territory; and entangled himself more in proportion to his unwillingness to be defeated; and he succeeded no doubt in making out a clear display of all these complicated parts, which few, however, could remember, and fewer still could comprehend. Then came the Physiologist, in still greater perplexity, and drew his conclusions, and assigned offices to the multiplied portions and ramifications of nervous substance, by arbitrary conjecture for the most part, and often with manifest inconsistency. Although the brain was generally allowed to be the organ of the intellectual faculties, it was supposed to give out from particular portions of the mass, but quite indifferently, nerves of sensation, general and specific, nerves of motion, and nerves of volition; the single, double, or multiplied origin of nerves, which had not escaped notice, not being supposed to be connected with these separate offices. Galen, whose name we mention again, because in this, as in many things, he went so far beyond his age, as in a great measure to excuse the blind idolatry of succeeding centuries, seems to have guessed, for he could not have proved, that the nerves of the body were of two kinds, one intended to convey Sensation to the brain, and one for Motion—and both proceeding from the spine. It is singular enough that this happy conjecture of so extraordinary a man should have been entirely overlooked, until the proofs of its truth were brought forward in Mr Bell's experiments in 1809; for examples of diseases were daily occurring, in which sensation or motion were *separately* lost; and the mere condition of sleep showed the suspension of one set of nervous offices, and the continuance of others,—whilst the actual division of a nerve going to the extremities took away both motion and sensation. That there were some nerves merely for sensation, and some only for motion, was, however, generally discredited, at least up to the time of Haller. If motion was lost without there being also loss of sensation, the reason was, according to Haller himself, that sensation could exist with less remaining strength than motion could! and the condition of the dying, who lost the power of moving before the power of feeling left them, was adduced as an example. This notion was allied to, if not absolutely identical with, the hypothesis of the nervous action in motion and sensation being, in kind, precisely the same, and differing only *in force*. Of those who admitted the possibility of one nerve containing distinct fibres for each of these two offices, some supposed that the conducting faculty, with relation to external and internal impressions, resided in a

different substance, as that of internal impressions in the medullary, that of external impressions in the neurilemma; but many were indisposed to acknowledge the necessity for that which they conceived might be regulated in the brain or nervous centre, and for which the fibres of the nerves exhibited no visible preparation. It was urged also, that as muscular fibres could be contracted in opposite directions, so in like manner might the fibres of the same nerves convey impressions from within outwards, and from without inwards. We may here remark the curious mistake of the older anatomists concerning the ganglions, a matter on which they affected a particular exactness, and concerning which, for the most part, they agreed. They thought the proper office of the ganglions was *to cut off* sensation from the portion of the nerve below it; it will presently be seen that the truth is diametrically opposite; and that Mr Bell has shown all nerves of sensation to be provided with and distinguished by a ganglion.

While these obscurities continued to beset the functions of sensation and motion, there was naturally no great accord among physiologists concerning what they chose to call vitality, and animality, or concerning the distinct offices of the cerebrum and the cerebellum, or the difference between nerves of voluntary and involuntary muscular motion. The spinal marrow was considered as a simple chord, medullary without, cineritious within, giving origin to the nerves; and the curious intercostal, or sympathetic system, was sometimes asserted to be the centre of organic, nutritive, or automatic life, and sometimes regarded as hardly more than an elaborate contrivance for the propagation of sympathies among all parts of the body; between the intellect and the stomach, between the body and the mind, between one side of the body and the other, and interchangeably among all the separate organs.

Such, so vague, so obscure, so inexact, so unsatisfactory, was the kind of knowledge communicated to the student, until a very recent period; and the impression left by it was, that of confused and unintelligible profusion in the distribution of nerves, of intricacy without meaning, of an expenditure of resources without a parallel in the other works of nature. But no small part of this confusion is now made clear; what seemed to be profusion, has been shown to be a provision equally wise and economical for the perfect performance and combination of the most important and distinguishing functions of living creatures. We do not mean to speak here of the proposed location of different mental faculties in different parts of the brain, an idea which the Arabians held in their schools, and which, with many addi-

tions, has lately excited so much attention, because that theory has not yet been subjected to the kind of investigation by which its truth must finally be judged. It can hardly be said to admit of experiment, and pathological facts have scarcely yet been viewed in connexion with it. It must be confessed, indeed, that the structure and uses of the brain itself, of its eminences, cavities, divisions, and junctions, are yet among the things least understood, and still remain to be explained by some living, or some future physiologist; and many ingenious hypotheses will doubtless arise and fall, before conjecture points with any certainty to the reason of all the forms, and modifications of the cerebral substance. Minute observation of structure, and the cautious investigation of morbid phenomena, must be chiefly depended on for the elucidation of these circumstances; for here also experiment can seldom, perhaps never, be applied in aid of them. But discoveries of the highest value *have been made* in all that relates to the origins and functions of the Nerves themselves, arising from portions of the cerebrum, and from the spinal marrow; and have sprung so legitimately from anatomical investigation, have been so judiciously and so clearly illustrated by experiment, and so supported by observation of cases of disease, as to have laid a foundation, which may be enlarged or strengthened by the future progress of science, but can never be shaken or rendered insecure. Of these discoveries, so difficult in their nature, and in their practical, as well as philosophical consequences so important, the works of which the titles are prefixed to the present article, present abundant evidence, that the chief honour belongs to Mr Charles Bell.

Previous to the publication of his Exposition of the Natural System of the Nerves, several eminent physiologists had instituted researches into different parts of this system; but the results had been less satisfactory than might have been expected from the zeal and intelligence with which they were conducted. We would by no means speak slightingly of labours most honourable to those engaged in them; yet, assuredly, it is embarrassing to those who, not being practical physiologists themselves, humbly await the discoveries of those who are, to find, after reading no small number of volumes, including the details of innumerable experiments, that by one the ganglions were looked upon as so many little brains, between which the great intercostal, or sympathetic nerve, was the chain of communication for interior life, while others considered them as cutting off the course of sensation; that by one the power of the heart, stomach, and intestines, was wholly ascribed to the spinal marrow, and by another stated to be quite independent of it; that by one the secretions were pla-

ced under the agency of the nerves, and by the experiment of another shown to be very little influenced by them.

Mr Bell's researches have been directed more exclusively to the principles of a just and natural arrangement of the nerves, called cerebral and spinal, and to the investigation of their particular offices; and in the progress of them he has established facts, analogies, and classifications, of singular value and interest.

The history of these scientific labours presents so instructive an example of the means of establishing presumed truths, and has, moreover, so much connexion with certain consequences of another kind, which we shall have to notice, that we must begin our review of what he has done for this department of anatomy and physiology, by reverting to a pamphlet circulated by him among his friends, so long ago as in the year 1809, and entitled, 'Idea of a new Anatomy of the Brain.' In justice, it ought to be stated, that this pamphlet was never published; but was distributed among Mr Bell's friends, for the professed purpose of eliciting objections to the course of study which he found himself then taking, and which he foresaw would, in all probability, employ the better part of his life. He wished either to be encouraged, or to be convinced that he was wrong; and, notwithstanding that it contains more than the rudiments of those discoveries which we have now to explain, it seems to have excited very little attention; and twelve years of unassisted labour elapsed before Mr Bell appeared before the public. During all that time, however, he was engaged in teaching, and each year in which he came to the discussion of the nerves, was marked by improvement. An opinion then prevailed, and is probably not yet quite extinct, that the different sensations conveyed by different nerves, resulted solely from the *superior delicacy* of one set of them above the other. If the optic nerve conveyed sensations of light and colour, this was only because its terminations were, of all nervous expansions, the finest and most minute. One answer may perhaps suffice for this extravagant hypothesis. If varieties of sensation depended on gradations of nervous subtlety, any decrease in this quality would produce not the impairment of the sensation usually conveyed by the nerve so affected, but a substitution of another sense in lieu of it. If the nerve of sight was so affected, the eye would be metamorphosed into the organ of hearing or of simple touch; or in other circumstances, the sense of hearing might degenerate into that of taste. But the truth is, that the theory has no foundation in fact: for the tenuity of expansion of the nerves of hearing, or taste, or touch, has never been proved to be less delicate than that of sight itself; and however varied the im-

pulse or agent affecting a nerve, the impression always takes its character from that of the nerve itself. Mr Bell, however, soon applied himself to the correction of more formidable errors: and attacking the common opinion, that a separate sensation and volition are conveyed by the same nerves, he asserted the functions of different parts of the cerebrum and cerebellum, and maintained that a great part of the nerves were not single nerves possessing various powers, but bundles of different nerves, the filaments of which were united for the convenience of distribution, but yet as distinct in their office as in their origin; that the perception or idea depended on the part of the brain to which the nerve was attached; and that the matter of the nerves of the external organs of sense was adapted to the reception of certain impressions only: further, 'That the nerves 'of sense, the nerves of motion, and the vital nerves, are dis-'tinct through their whole course, though they seem some-'times united in one bundle; and that they depend for their 'attributes on the organs of the brain, to which they are se-'verally attached.'

We find Mr Bell strongly insisting, in this pamphlet, on the complete distinctness of the cerebrum and cerebellum; and pointing out the distinction, (which afterwards led him to other distinctions of great moment,) that although the two hemispheres of the brain were so like in form and substance, and so united by tracts of medullary matter, as to make consentaneousness of office both probable and easy, the cerebrum and cerebellum were, on the contrary, very different both in form and arrangement, and but slightly and indirectly connected: adducing facts at the same time which showed that these parts might be separately affected; and, finally, deducing from these observations the conclusion of their being distinct in office. This conclusion was strengthened by reference to the varying proportions of the cerebrum and cerebellum in different classes of animals, the diversity of the former in creatures differently endowed, and the general permanency of character in the latter. It is of much consequence, as will hereafter be evident, to quote in this place Mr Bell's own description of his attempts to prove by experiment what he had succeeded in making so probable by reasoning:—

"I took this view of the subject. The *medulla spinalis* has a central division, and also a distinction into anterior and posterior fasciculi, corresponding with the anterior and posterior portions of the brain. Further, we can trace down the crura of the *cerebrum* into the anterior fasciculus of the spinal marrow, and the crura of the *cerebellum* into the posterior fasciculus. I thought that here I might have an opportunity of touching the *cerebellum*, as it were, through the posterior portion of the spinal marrow,

and the cerebrum by the anterior portion. To this end I made experiments, which, though they were not conclusive, encouraged me in the view I had taken.

'I found that injury done to the *anterior* portion of the spinal marrow convulsed the animal more certainly than injury done to the posterior portion; but I found it difficult to make the experiment, without injuring both portions.

'Next, considering that the spinal nerves have *a double* root, and being of opinion that the properties of the nerves are derived from their connexions with the parts of the brain, I thought that I had an opportunity of putting my opinion to the test of experiment, and of proving, at the same time, that nerves of different endowments were in the same cord, and held together by the same sheath.

'On laying bare the roots of the spinal nerves, I found that I could cut across the posterior fasciculus of nerves, which took its origin from the posterior portion of the spinal marrow, without convulsing the muscles of the back; but that on touching the anterior fasciculus with the point of the knife, the muscles of the back were immediately convulsed.

'Such were my reasons for concluding that the cerebrum and the cerebellum were parts distinct in function, and that every nerve possessing a double function, obtained that by having a double root. I now saw the meaning of the double connexion of the nerves with the spinal marrow; and also the cause of that seeming intricacy in the connexions of nerves throughout their course, which were not double at their origins.

'The spinal nerves being double, and having their roots in the spinal marrow, of which a portion comes from the cerebrum, and a portion from the cerebellum, they convey the attributes of both grand divisions of the brain to every part; and therefore the distribution of such nerves is simple, one nerve supplying its destined part. But the nerves which come directly from the brain, come from parts of the brain which vary in operation; and in order to bestow different qualities on the parts to which the nerves are distributed, two or more nerves must be united in their course or at their final destination. Hence it is, that the first nerve must have branches of the fifth united with it: hence the *portio dura* of the seventh pervades everywhere the bones of the cranium to unite with the extended branches of the fifth: hence the union of the third and fifth in the orbit; hence the ninth and fifth are both sent to the tongue: hence it is, in short, that no part is sufficiently supplied by one single nerve, unless that nerve be a nerve of the spinal marrow, and have a double root, a connexion (however remotely) with both the cerebrum and cerebellum.'

In this passage we see laid open the very foundation of all Mr Bell's important discoveries relating to the functions of the nerves: it being perfectly clear that he was then aware of the distinct offices of the anterior and posterior portions of the spinal marrow; and that the nerves arising from its anterior part were for Motion, and those of the posterior were for Sensation, or for some other office; for there was much difficulty in proving the latter circumstance by direct experiments, in

consequence of the general shock communicated; but the fact was afterwards proved by experiments made on the functions of the fifth nerve. It is no less clear that Mr Bell then understood that the nerves proceeding from the brain had each but a single function, and required to be united with some other nerve when a double function was to be effected: and although it was in consequence of these investigations, and from the discovery of this general principle of combination of separate nerves for combined offices, that he was led to the understanding of the extensive system of nerves connected with the complicated actions of respiration; yet this is precisely the part of Mr Bell's labours, concerning which justice has been most withheld from him. His incontestable discovery of the distinct functions of the spinal nerves has been claimed by others; and those who seem most disposed to pronounce fairly on this matter in another country, where the claim has been most directly advanced, and would at least allow Mr Bell a share of the merit of priority, rest his title to it, curiously enough, on the *probability* of his having been naturally led to the discovery *by* his researches into the system of the respiratory nerves; whereas the truth is, that these researches, with all their consequences, were *the result*, and not *the cause*, of his having discovered the principle on which the spinal nerves of motion and sensation were distributed. It was, beyond all question, by the light of this principle that he was directed to the conclusion, that the nerves of an organ were complex only because its functions were complicated. Putting aside the mere evidence of dates, there is proof enough of Mr Bell being the first discoverer, from the course of his progress. We see, first, the observation of structure, leading him to infer the distinct functions of the different roots of the spinal nerves; and then the inconvenience of the experiments directly proving it, causing him to trace analogical double structure in some of the cerebral nerves, and to select the fifth, of which he succeeded in showing the double office. Subsequently to this, we observe him still seeing more nerves sent to parts already supplied with nerves both of motion and sensation, and led to investigate their uses; and finally, by experiment, by comparative anatomy, and pathological phenomena, ascertaining the separate and *superadded* system of respiratory nerves, so denominated by him with an obvious reference to the previously ascertained nature of the *regular* nerves of sensation and of motion. Every step of this process is plain and orderly, and it would be difficult to find a more admirable example of useful discovery philosophically attained. It is enough, for the present, to have pointed out the singular perversity of fortune by

which Mr Bell's persevering and patient pursuit of a great principle, and his meritorious abstinence from premature assertion, had almost deprived him of the credit which so truly belongs to him.

Although, from circumstances, it has become necessary to trace Mr Bell's discoveries back to this pamphlet, it is proper to remark, that the observations on the brain and the roots of the nerves, were not the commencement of his labours. It was the seeming *complication* in the course of the nerves, as they wander over the head, the neck, and the chest, that first led him to this investigation. When he was directing our attention to the columns of the spinal marrow, and the double roots of the nerves, he was in fact explaining that intricacy, which he found in the distribution of the nerves, and which had met him each time he returned to the demonstration of the subject in his public lectures. So that he has, in fact, arrived at his conclusions by two different paths,—1st, by observing the distribution and relation of the nerves in their remote extremities; and, 2d, by observing the columns of the brain and spinal marrow, and the origins of the nerves from these columns.

Before following the order of Mr Bell's papers, it may facilitate the comprehension of the whole subject to state, as he himself has done in his preliminary observations, that according to the views he takes of the nerves of the human body, there are, besides the nerves of vision, smell, and hearing, *four* different systems of nerves distributed through the body; those, namely, of Sensation, of Voluntary Motion, of Respiratory Motion, and those which, neither communicating sensation in the ordinary meaning of that term, nor conveying the volition which directs voluntary motion, nor yet respiratory, unite the body into a whole, and are essential to Nutrition, to growth, to decay, and generally to animal existence. The nerves of these separate functions are undistinguishable by their structure, but known by their origins; they are sometimes separate in their course, sometimes bound together in one sheath; but never, as had been formerly supposed, confounded in office. They are divided into simple nerves and compound; the first having their roots arising in a line, or sequence, from the brain or spinal marrow, as seen in the ninth nerve; the roots of the second arising in *double* rows, each row from a *different* column or tract of nervous matter, as exemplified in the nerves arising from the spinal marrow.

'If we were successfully to trace a nervous cord, (we shall suppose from a muscle of the fore-arm,) it would be found a simple filament, thread, or funiculus. We should then trace it into a compound nerve; perhaps

the ulnar nerve, which we call compound, because there are in it filaments of motion and filaments of sensation bound together. At the root of the axillary nerve we should trace it into the composition of a fascis, where it forms the anterior root of a spinal nerve. Being further traced, it would merge in the anterior column of the spinal marrow; and traced into the base of the brain, it might be followed as a *tractus*, a streak of matter distinguishable from the surrounding substance, until it was seen to disperse and lose itself in the cineritious matter of the cerebrum. In all this extent, however combined or bound up, it constitutes one organ, and ministers to one function, the direction of the activity of a muscle of the hand or finger. Even in this respect its operation is not perfectly simple, for while it excites the muscle to change its state, which we call its state of contraction or of relaxation, it also conveys to the sensorium a sense of the condition of that muscle.

'And so, if we trace other fasciculi, or rather filaments, whether they be for the purpose of sensation or of motion, each retains its office from one extremity to the other; nor is there any communication betwixt them, or any interchange of powers, further than that a minute filament may be found combined with filaments of a different kind, affording a new property to the nerve thus constituted.'

Mr Bell describes the spinal marrow as being composed in reality of six columns, or three in each lateral portion; an *anterior* column, which is for the function of Voluntary Motion, and may be traced into the substance of the brain; a *posterior* column for Sensation, and a third, or lateral, column, between the anterior and posterior columns, and which is for the Respiratory functions. The existence of this last had been pointed out by other anatomists; but Mr Bell was the first clearly to describe it, or to point out its peculiar use. Each of these columns has subdivisions, not yet explained. This arrangement of the spinal marrow prevails in all the vertebrated animals; and is indispensable to the association and combination of all the movements connected with the act of respiration in those possessing a thorax capable of respiratory motions.

To speak first of the *regular* nerves, there are of these thirty sent out from the spinal marrow on each side; and each of these has two distinct roots, one from the anterior and one from the posterior column. The *posterior* root of each is distinguished by a ganglion, situated where it is surrounded by the sheath of the spinal marrow, and before its junction with the anterior root. Seeing this great regularity of the spinal nerves, and the very great irregularity of the cerebral nerves, Mr Bell was led to inquire into the reason of so remarkable a contrast; whether, first, the double office of these nerves depended on their having double roots; and whether this was the cause of their peculiar simplicity of arrangement: and, secondly, what

cerebral nerves, in their distribution to the head and face, had similar offices.

'It was necessary to know, in the first place, whether the phenomena exhibited on injuring the *separate* roots of the spinal nerves corresponded with what was suggested by their anatomy. After delaying long on account of the unpleasant nature of the operation, I opened the spinal canal of a rabbit, and cut the posterior roots of the nerves of the lower extremity; the creature crawled, but I was deterred from repeating the experiment by the protracted cruelty of the dissection. I reflected, that an experiment would be satisfactory, if done on an animal recently knocked down and insensible; that whilst I experimented on a living animal, there might be a trembling or action exerted in the muscles by touching a sensitive nerve, which motion it would be difficult to distinguish from that produced more immediately through the influence of the motor nerves. I, therefore, struck a rabbit behind the ear, so as to deprive it of sensibility by the concussion, and then exposed the spinal marrow. On irritating the posterior roots of the nerve, I could perceive no motion consequent, on any part of the muscular frame; but on irritating the anterior roots of the nerve, at each touch of the forceps there was a corresponding motion of the muscles to which the nerve was distributed. These experiments satisfied me that the different roots and different columns from whence those roots arose, were devoted to distinct offices, and that the notions drawn from the anatomy were correct.

'The anterior roots of the spinal nerves, and the anterior column of the spinal marrow, being thus shown to have a power over the muscular system, the next step of the inquiry was distinctly indicated. If I pursue the track of the anterior column of the spinal marrow up into the brain, shall I find the nerves which arise from it to be muscular nerves? An anatomist will at once answer, that only muscular nerves arise in this line.'

Mr Bell's descriptions are materially aided by drawings and plans; but those who are acquainted with anatomy will remember, that on tracing up the anterior column of the spinal marrow into the corpus pyramidale, the ninth nerve is found to arise from it, having *one* series of roots only, corresponding with the anterior roots of the spinal nerves, and that this nerve is a nerve of Motion, entirely devoted to the muscles of the tongue, and unconnected with the sense of taste. Higher up, arising from the same *tractus motorius*, is the sixth nerve, a muscular nerve of the eye; and higher still, tracing the tractus through the Pons Varolii, are the roots of the third nerve, the motor nerve of the eye. These interesting points being ascertained, it remained to be seen whether the posterior column of the spinal marrow, and the roots proceeding from it, were for sensation. Pursuing this inquiry, it was found that the fifth nerve was the sole nerve of sensation in the head and face; and it was thence understood why there was no necessity for the

third, sixth, and ninth nerves having a posterior or ganglionic root. Thus far the fifth nerve agreed with the spinal nerves in bestowing sensation: It then became a question whether it had a farther resemblance to them, and comparisons being instituted, both in man and in brutes, of the anatomy of this nerve and of the spinal nerves, a remarkable similarity was discovered. It was seen, like the spinal nerves, to have *a double root*, the anterior root passing the ganglion, and the posterior falling into the ganglion; and on following back the anterior root, it was observed to come out between the *fines* of the pons varolii, and, in fact, from the crus of the cerebrum. And as the anterior portion of the nerve did not enter the ganglion, Mr Bell conceived it to be, in fact, the uppermost nerve of the spine, the uppermost of that series of nerves which are both for motion and for sensation. To ascertain the correctness of this conclusion, the nerve was exposed at its root, in an ass just killed, and being irritated, 'the muscles of the jaw acted, and the jaw closed with a snap.' The nerve was next divided in a living animal, and the jaw was found to fall. These experiments left the functions of the nerve no longer a matter of doubt, and proved it to be both a muscular nerve and a nerve of sensibility; in short, to be, for the head, what the spinal nerves are for the other parts of the body.

The *regular* nerves, then, are the seven cervical, the twelve dorsal, the five lumbar, the six sacral, the sub-occipital, and the fifth pair; and all these nerves, which are for sensation and motion, are *double* in their origin; and they are common to all animals, 'from the worm up to man.' The *irregular* nerves, so designated from the irregularity of their distribution, have *a single* root, and are superadded to those just spoken of, according to the complication of organs for which they are intended; such are the third, fourth, and sixth nerves going to the eye; the seventh, to the face; the ninth, to the tongue; the glossopharyngal, to the pharynx; the nervus vagus, to the larynx, heart, lungs, and stomach; the phrenic, to the diaphragm; the spinal accessory, to the muscles of the shoulder; and what Mr Bell has named the External Respiratory, a nerve resembling the phrenic in its origin, but sent to the outside of the chest, to the serratus magnus muscle, which muscle is also supplied from the regular system of nerves. All these irregular nerves are, we have said, using Mr Bell's words, *superadded*, and for superadded organs; and this superaddition of organs he has shown to be such as are connected with the apparatus of respiration, and the variety of offices for which this apparatus is pre-

pared in the higher animals. It is this explanation which gives clearness to a piece of anatomy, formerly of all the most difficult and confused, and which enables us to account for the apparent prodigality, for the countless ramifications, for the numerous connexions of the nerves of the face, neck, and chest; more particularly of the fifth and seventh nerves with the ninth, and with the cervical and phrenic nerves.

The motions connected with respiration, although chiefly seen in the neck, trunk, and face, extend almost all over the body, to some hundred muscles, as is evident during any of the more violent respiratory efforts. Here, then, are new motions, differing wholly from those of which the end is locomotion, and no less from the voluntary motions, and therefore presumably requiring a new source of nervous energy. Of these motions, some are well known to be under the command of the will, others carried on independently of the will, and not to be controlled for any long time by the strongest effort of volition, but still carried on by the same muscles, both when we will, and when we do not. Thus we breathe during sleep without volition, and yet we can use the respiratory muscles as voluntary muscles in violent exertions, or in singing. Hence there is an evident necessity for *a combination* of powers; and from this combination arises a necessary degree of complexity in the system of nerves connected with those powers. Mr Bell has illustrated this very clearly:—

'Let us observe, in the act of eating and swallowing, the necessary combination of the three powers of sensation, voluntary muscular activity, and the act of the respiratory muscles. If we cut the division of the fifth nerve which goes to the lips of an ass, we deprive the lips of sensibility; so when the animal presses the lips to the ground, and against the oats lying there, it does not feel them; and consequently there is no effort made to gather them. If, on the other hand, we cut the seventh nerve where it goes to the lips, the animal feels the oats, but it can make no effort to gather them, the power of muscular motion being cut off by the division of the nerve. Thus we perceive that in feeding, just as in gathering anything with the hand, the feeling directs the effort, and two properties of the nervous system are necessary to a very simple action.

'In drinking, the fluid is sucked in by the breath, and when the mouth is full we swallow. The water is felt; the lips are moulded into the right form by volition, and the muscles of inspiration combine to draw in the fluid. In the act of swallowing, the liquid would descend into the windpipe, were there not a combination of the muscles of respiration with the apparatus of deglutition to prevent it; nor could the fluid or the solid morsel pass the diaphragm without a similar coincidence of activity and relaxation betwixt parts animated by different systems of nerves.

'In speaking, it is still more obvious that the act of respiration must become voluntary, in order to push out the breath in combination with the

contractions of the larynx, and tongue and lips, for producing sound, and more especially articulate language.

'The respiratory system must be exercised under an instinctive and involuntary impulse, as in breathing during sleep and insensibility. But it must, at certain times, be associated into voluntary actions. By foreseeing this difficulty, we shall avoid the danger of pushing the investigation of the anatomy too far, or of throwing a doubt over important discoveries by attempting too much.'

It was fortunate for Mr Bell's investigations, that the face was a part of the body in which the nerves of voluntary motion and of sensation, which in other parts of the frame ran their course bound up together, were distinctly and separately distributed, coming out from the cranium through separate openings, and meeting only in their terminations. This arrangement enabled him to make those decisive experiments to which we have already alluded.

We have before said that our author had contrasted the spinal nerves, which are remarkable for their regularity, with the nerves of the brain, which are irregular both in their origin and course. The former arise uniformly from prolonged tracts of medullary matter, and have each *two* roots and a ganglion upon one, and they are distributed universally over the body. The nerves of the brain arise from distinct parts, and their roots are *single*, with the exception of one, which is the fifth. We find that this has *two* distinct origins, and also a ganglion upon one of them—that it corresponds, in fact, with the extensive class of spinal nerves. Here there is a remarkable circumstance demanding explanation: when we find a spinal nerve introduced in the midst of so many others, it points out distinctly that the spinal nerves must have some peculiarity of function. The fifth nerve was found, accordingly, to be both a nerve of motion and of sensibility, as all the spinal nerves are. But the question then arose, what necessity is there for another nerve of motion being supplied to the muscles of the face, where the fifth is already distributed? This can only be answered by attending to the peculiar functions performed by these muscles, and observing how they are connected with the complex actions of respiration, as may be seen in simple breathing, or speaking, and expression. It would thus appear that the fifth pair is not suited for controlling these actions, but that a new nerve having a different origin from the brain is required. All these circumstances being considered, Mr Bell was prepared to decide by experiment whether the fifth and seventh afforded a double supply of the same kind of endowment, or performed different offices.

'An ass being thrown, and its nostrils confined for a few seconds, so as to make it pant and forcibly dilate the nostrils at each inspiration, the portio dura was divided on one side of the head; the motion of the nostril of the same side instantly ceased, while the other nostril continued to expand and contract in unison with the motions of the chest.

'On the division of the nerve, the animal gave no sign of pain; there was no struggle nor effort made when it was cut across.

'The animal being untied, and corn and hay given to him, he ate without the slightest impediment.

'An ass being tied and thrown, the superior maxillary branch of the fifth nerve was exposed. Touching this nerve gave acute pain. It was divided, but no change took place in the motion of the nostril; the cartilages continued to expand regularly in time with the other parts which combine in the act of respiration; but the side of the lip was observed to hang low, and it was dragged to the other side. The same branch of the fifth was divided on the opposite side, and the animal let loose. He could no longer pick up his corn; the power of elevating and projecting the lip, as in gathering food, appeared lost. To open the lips the animal pressed the mouth against the ground, and at length licked the oats from the ground with his tongue. The loss of motion of the lips in eating was so obvious, that it was thought a useless cruelty to cut the other branches of the fifth.

'The experiment of cutting the respiratory nerve of the face, or *portio dura*, gave so little pain, that it was several times repeated on the ass and dog, and uniformly with the same effect. The side of the face remained at rest and placid, during the highest excitement of the other parts of the respiratory organs.

'When the ass, on which the respiratory nerve of the face had been cut, was killed, which was done by bleeding, an unexpected opportunity was offered of ascertaining its influence, by the negation of its powers on the side of the face where it was cut across.

'When an animal becomes insensible from loss of blood, the impression at the heart extends its influence in violent convulsions over all the muscles of respiration; not only is the air drawn into the chest with sudden and powerful effort, but at the same instant the muscles of the mouth, nostrils, and eyelids, and all the side of the face, are in a violent state of spasm. In the ass, where the respiratory nerve of the face had been cut, the most remarkable contrast was exhibited in the two sides of its face; for whilst the one side was in universal and powerful contraction, the other, where the nerve was divided, remained quite placid.'

'The actions of sneezing and coughing are entirely confined to the influence of the respiratory nerves. When carbonate of ammonia was put to the nostrils of the ass whose respiratory nerve had been cut, that side of the nose and face where the nerves were entire, was curled up with the peculiar expression of sneezing; but on the other side, where the nerve was divided, the face remained quite relaxed, although the branches of the fifth pair and the sympathetic were entire. The respiratory nerve of one side of the face of a dog being cut, the same effect was produced; the action of sneezing was entirely confined to one side of the face.

'On cutting the respiratory nerve on one side of the face of a monkey,

the very peculiar activity of his features on that side ceased altogether. The timid motions of his eyelids and eyebrows were lost, and he could not wink on that side; and his lips were drawn to the other side, like a paralytic drunkard, whenever he showed his teeth in rage.'

'All that excitement seen in a dog's head, his eyes, his ears, when fighting, disappears, if this nerve be cut. The respiratory nerve being cut across in a terrier, the side of the face was deprived of all expression, whether he was made to crouch, or to face an opponent and snarl. When another dog was brought near, and he began to snarl and expose his teeth, the face, which was balanced before, became twisted to one side, to that side where the nerve was entire; and the eyelids being, in this state of excitement, very differently affected, presented a sinister and ludicrous expression.'

About a year after the communication of these facts to the Royal Society, Mr Bell read a second paper in continuation of the same subject, but relating particularly to the nerves which associate the muscles of the *chest* in the actions of breathing, speaking, and expression. The extensive combinations into which these muscles enter may be conceived, by reflecting on the actions and offices of this portion of the body, which supports and protects the heart and lungs, as well as the viscera seated in the upper part of the abdomen, and produces, by alternate opposition and yielding to the atmospheric pressure, the action of respiration. In order to explain these actions, Mr Bell found it necessary to draw attention to the muscles of the chest; observing particularly upon those which come from the shoulder bones, and from the head, and descend to the upper part of the chest, and in explaining how these muscles expand the chest, as in drawing breath, he proves that at the same moment the head must be raised, and the shoulders drawn back. Having thus shown, by the review of the muscles, which of those on the fore part and of those on the back part of the chest, are necessarily combined in the act of drawing breath, he has paved the way for removing the whole intricacy of this part of the Nervous system: for to reach these respiratory muscles, the respiratory nerves must take a devious course, turning and twisting, and threading through the nerves of sensation and voluntary motion. Taking one of these nerves, the spinal accessory, and dividing it, he found that the muscles supplied by it were cut off from partaking in the act of breathing, whilst they retained their office under the other nerves; that is, could be used as voluntary muscles, when they no longer acted as respiratory muscles. To the spinal accessory nerve, therefore, Mr Bell has given the name of Superior Respiratory; and he has ascertained that whilst the phrenic acts on the diaphragm in expanding the chest, the external muscles associated with the diaphragm are

combined in such action by a similar provision of respiratory nerves; that what the phrenic, or internal respiratory, is to the diaphragm, the spinal accessory is to the muscles behind the neck and to the mastoidens, and the external thoracic to the muscles of the sides of the chest. The proofs of these opinions rest, like those of the office of the respiratory nerve of the face, on the origin and distribution of these nerves in the human subject, on the facts exhibited by comparative anatomy, or pathological phenomena, and on experiment. It has been seen that the spinal accessory arises, like the other respiratory nerves, from the lateral column of the spinal marrow. In fishes, which have no diaphragm, there are no phrenic nerves; nor are there any spinal accessory, or external thoracic, their muscular conformation not requiring any. The structure of the wing, and the absence of a mastoid muscle, render a spinal accessory nerve unnecessary to birds. Quadrupeds in general have all the three respiratory nerves of the trunk; but the camel, which is without a mastoid muscle, its neck and head being supported by a succession of muscles which are shorter and attached to the vertebræ, has no spinal accessory nerve.

By inquiring into the functions of the numerous distinct nerves which go into the parts surrounding the eye, Mr Bell was led to observe the motions of the eyeball, with particular interest. The motions of the eye, consequently, became the subject of one of his papers, the third, read before the Royal Society, in which it was explained why no less than six nerves were sent to that organ, and crowded into a space so small as that of the orbit. The internal arrangements of this important organ of sense, have often furnished a pleasing subject of popular illustration, and are pretty generally understood; but what Mr Bell terms 'the frame-work which suspends it, 'and by which it is covered and protected,' has been less attended to, though no less worthy of notice than the contrivances within the eye itself. Except when some part of this curious external apparatus is impaired, we seldom are aware of its great value. Paley was struck with the importance of the 'two little muscles that serve to lift up the eyelids,' by being acquainted with a gentleman who had lost the use of them, and was obliged 'to shove up his eyelids with his hands;' and there are other minute offices without the regular performance of which sight would be equally interfered with. Mr Bell considers the motions of the eye in two points of view; with relation to mere vision, and with relation to the preservation of the organ. He has pointed out a peculiar revolving motion

which had not previously attracted attention, and that the different conditions of the retina are accompanied by appropriate conditions of the surrounding muscles; he has divided these muscles into two classes, one presiding over the organ when we use it, the other taking charge of it when we sleep, or during faintness or insensibility; and he has shown the deductions which may be drawn from these circumstances, in connexion with the appearances of the eye in disease, and as an organ of expression.

The revolving movement of the eye is that by which, when the eyelids are closed, the cornea, or transparent part, is raised under the upper lid, a movement easily verified by closing one eye and placing a finger over the eyelid, so as to feel the ball of that eye, and then shutting the other eye, in which case the globe of the eye over which the finger is placed is felt to move upwards, as it is also perceived to descend when the other eye is opened again. The intention of this motion is thus explained by Mr Bell. The margin of the eyelids is flat, and when the lids are closed, they meet only by the outer edge of this flat margin, and a gutter is left between them and the cornea; this part of the cornea, therefore, in the space or gutter so left, would never be touched or swept over by the eyelids, unless the eyeball shifted its place in the act of shutting the eye; and it would consequently become dimmed by a continual collection and accumulation of moisture there, exactly in the axis of the eye. This motion of the eye also facilitates the flow of tears from the lachrymal duct, and is performed so rapidly, the globe of the eye moving upwards whilst the lid moves downwards, that protection is instantaneously given in all emergencies to which so delicate an organ is exposed, and which its outward guards are not of themselves calculated to meet. The best illustration of this motion of the eye, and one which Mr Bell has often pointed out to his pupils in the Middlesex hospital, is afforded in some cases of partial paralysis; cases in which there is no loss of sensation, but in which the motion of the eyelids of one eye is lost, and the eyelids remain open; in these instances, whenever the unaffected eye is closed, whenever the patient winks, the eyelid of the paralyzed side of the face is unmoved, but the globe of the eye is at that moment lifted upwards, as if to get under the raised lid; and this circumstance, it may be observed, not only shows the revolving motion of the eye, but the dependence of that motion on a nerve not involved in the paralytic affection which deforms the face. Mr Bell further observes, that during this rapid motion, the low-

er eyelids move also, and in a direction towards the nose; so that if both lids are marked, it may be seen, that, when the eye is shut and opened, the spot on the upper lid descends and ascends perpendicularly, while that on the lower moves horizontally towards the nose and from it, 'like a shuttle.' So that we see the whole effect of the act of winking, an operation so instantaneous as to have formed the basis of a proverb from time immemorial, is, that the secretion of the lachrymal gland is promoted, and directed towards the duct along which it is to flow from the eye after washing it; the upper eyelid descends and sweeps the eye; the globe of the eye is so moved, that the only part which could not be so swept is effectually cleared; and the under eyelid moves, so as to propel towards the outlet of the eye, at its inner angle, whatever has offended it, whatever would obscure or impair it, as well as the tears which have been used to wash these objects away. At the same time, the eye is relieved by the interchanges of muscular action which take place during this momentary action, and it is immediately protected when immediate protection is required.

These are but a small part of the proofs of design afforded by this single organ, contributing as it does so largely to the knowledge and the happiness of living creatures. In an examination of the works of Infinite power, we are always reminded of the benevolence with which it is combined, and of the limitation of our own conceptions. The larger works of the creation first attract our regard; we push our ambitious inquiries into the heavens, and are lost in ideas of space and magnitude, of rapidity and immensity of movement beyond the reach even of the imagination. But if we look down into the smallest details of those works which are around us, or which are exhibited in the 'express and admirable' structure of our own frame, we are no less delighted by exquisite contrivance and delicacy of execution. The more we increase our means of acquiring a knowledge of the larger features of the universe, the more we are impressed with the greatness of the power which sustains and directs so stupendous a work; and the more minutely we pursue researches which our unassisted senses could not institute, the more delicate, the more immeasurably superior to any performance of human hands, do all the divisions and parts of the vast work appear.

Nothing, we think, can be more fortunate than the induction by which Mr Bell has thus unfolded the marvellous contrivances that are combined in the arrangement of the eye—having demonstrated with admirable patience and precision, that there

are five different objects to be provided for by appropriate nerves:—1. vision; 2. common sensibility; 3. the voluntary direction of the eye-ball; 4. the condition of the eye in sleep, or at perfect rest; 5. the instinctive and rapid motions in winking, to protect the eye whilst it is exercised and watchful; and lastly, it has been shown, by some curious observations, in a manner quite unexpected, that there is a necessity for a connexion between the muscles of the eye, and the muscles of respiration generally, without which this delicate object would suffer derangement. It was only by such minute attention to the functions of this part that he could arrive at the rationale of the number of nerves (no less than six) going into the orbit.

Our author has certainly grappled here with the most difficult part of the whole system: And yet the advantage of his method might perhaps have been better illustrated by attending to the different operations of the tongue, which is the instrument of deglutition—the principal instrument of articulate language—the seat of an exquisite sense of touch—and the organ of taste. This explains why there are three nerves distributed to it, each of which forms different connexions with other nerves; that nerve which is the organ of taste being connected with the salivary glands and muscles of mastication; that which connects the muscles of the tongue with those of the fauces in swallowing, passes down to the muscles of the pharynx; whilst that which is the organ of volition is connected with the nerves of the larynx, and the nerves of respiration generally,—to combine the actions of the tongue in articulate language with the act of breathing.

It has too commonly happened that those who have been ambitious to improve medical science have neglected this instructive study, for the sake of experimenting. The example of reserved and judicious appeal to experiment, in support of views derived from attention to structure, presented in these labours of Mr Bell, is, in this point of view, particularly instructive. Whilst he never seems to have performed an experiment which could have been avoided, and has decidedly escaped all reasonable censure on the score of cruelty, not one of his experiments appears to have been idle or fruitless. The rash and unadvised destruction of animal life, in quest of whatever may chance to turn up, or of whatever is new and rare, can by no pretext be justified. The subject which now occupies us has been followed with every variety of investigation, and attempts have been made to snatch, as it were, a knowledge of the most hidden things of the Nervous System, by experiments without number; yet the results of injuries, most heedlessly inflicted on various portions

of the cerebral mass cannot be said to have led to conclusions that we can at all rely upon, even respecting the parts actually involved in such injuries. In many instances the only effect has been the loss of power to direct the movements of the body, and a general diminution of sensorial power—from which no precise conclusion can be drawn. All that has been got at in this way, with all the diligence and all the disregard of life, by which the attempts have been characterised, is not to be compared with the valuable results obtained by those physiologists who, labouring more patiently, and having caught a steady view of some important fact, have first maturely considered which, of many paths, would most surely lead them to the point; and who have then, by careful reasoning, aided by knowledge industriously gathered from various sources, proceeded, by the light of a few decisive experiments, step by step, to what has been hailed, by all competent judges, as equally valuable and indisputable. Such physiologists proceed like the skilful miner, who, having first ascertained, from indications that cannot err, that there is a precious vein beneath the surface, commences his labour where it can be commenced with the most advantage. Those of another description are like wild speculators, the Dousterswivels of science, who either proclaim a treasure when none exists, or lose their time in indiscriminate search; and, in their eagerness for gold, assert what is not true, or waste their ill-directed industry on hopeless and ungrateful soils. We are told by Celsus that, even before his time, and in the age of Alexander, Erasistratus indulged himself very freely in the examination of the bodies of criminals whilst they were yet alive, 'etiamnum spiritu remanente,' and saw the contractions of the heart, and beheld the lacteal vessels of the mesentery filled with chyle; but it was many hundred years later before the use of the lacteals, or of the action of the heart, were comprehended; and the knowledge of their uses was gained in a very different manner. The immortal Harvey, in relating his own progress, says, '*I began to think whether there could be* any motion of the blood, as in a circle; *which I afterwards found to be true.*' And thus it has probably always been, and must always be, with great discoverers. In the midst of patient research, accident presents a single fact unthought of before, and the fact kindles a train of conjecture; a possibility is imagined; the faculties employed in the investigation and comparison of facts, are called into exercise; reasoning suggests experiment, and directs pursuit; careful observation governs and regulates the whole process, and a great truth is evolved.

It would be to forget half the value of the enlightened views of the structure and functions of the Nervous System which

have occupied our attention, if we were not to allude to the great improvement that may be expected to arise from them to medical science. From understanding the anatomy and office of any part of the system, to clear ideas of the diseases of such structures or functions, the step is easy and direct; and when both are understood, it is not difficult to apply principles of treatment with increased effect. To the Surgeon there are many very obvious applications of the information given by Mr Bell, concerning the properties of the two great nerves of the face. Here the division of different nervous branches has been frequently performed for the relief of that distressing disorder, the Tic Douloureux; sometimes with complete success, but sometimes not only without benefit, but with consequences highly inconvenient; events which can now be explained. Whether the branches of the portio dura, or respiratory nerve of the face, may not in certain states of disease be affected with pain, is perhaps a question not quite decided; but it is easily understood, from the uses of this nerve, that if any attempt is made to relieve pain by dividing any part of it, there will be a loss of motion in some part of the muscles of the face, and consequent deformity; and if in this, or any other operation about the eye-lids, this nerve should be divided in that situation, consequences still more unfortunate would ensue; for it is the nerve on which the motions of the eyelids depend, and as they could not then be closed, the cornea of the undefended eye would become opaque, and the sight of the eye would be lost.

When a man has been deprived of all sensation and power of voluntary motion below the lower part of the neck, by an injury of the spine in that part, but continues to inspire and expire naturally, can cough, blow his nose, &c., we learn from Mr Bell's Observations, that the continuance of his respiration does not depend on the continued power of the phrenic nerve alone, of which the origins are higher than the seat of the injury; and we comprehend, that if the motions of the thorax and abdomen depended wholly on the regular nerves, we should see *them* also suspended. But the phenomenon is sufficiently explained, when we remember that these alternate respiratory motions are a consequence of the unimpaired state of the respiratory nerves in a wider sense, of the phrenic for one certainly, but also of the superior and external respiratory nerves, of which the origins are as high as those of the phrenic. If the injury happens above the origin of the phrenic nerve, but not so high as that of the spinal accessory, breathing will still be carried on, though for a short time only; the action of the diaphragm is lost, and the patient breathes with much effort of the shoulders, between which the

head is almost drawn at every inspiration; those muscles being now principally called into action which are supplied by the spinal accessory. In these, and other accidents affecting the spinal column, the surgeon is therefore now enabled to judge more correctly of the seat of the injury, often inaccurately referred to by the patients themselves; and he is enabled better to assign a reason for the continuance of life in deep and serious wounds of so important an organ as the brain; as well as to account for the strange circumstance which is witnessed in some monstrous births, in which respiration is performed, although there is no brain at all.

To the physician, the advantages of an exact acquaintance with the Nervous System are even greater. Instead of rejecting nervous theories, as some eminent practitioners have done, in the most unqualified terms, the physician may now find in this delicate system secure foundations for valuable practical improvements; may explain much that was before obscure, and much, that, though successful, was but empirical; may distinguish partial from general affections of the nerves with more certainty, and enlarge the powers and applications of medicine. Diseases, of which the phenomena were apparently most arbitrary and intractable, must now become more clearly understood and more easily managed. Distinctions also may be more readily made between external phenomena depending on slight and temporary paralysis, occasioned by partial affections of the muscles of the face, and those more serious cases originating in the brain; and, of course, between affections of the symmetrical and the superadded nerves. The symptoms of what are really nervous disorders, affecting different systems, may be more confidently referred to the causes affecting what may be called their anatomical origins, and better arranged; and in very many forms of disorder, the signs which indicate danger, or afford reasonable ground of hope, signs connected with the respiratory system, will be more justly appreciated. Even those sudden and alarming occurrences will be less mysterious, in which instantaneous injury, or overwhelming pressure of the medulla oblongata, extinguishing the function of respiration at once, produces immediate death, those cases in which, as Dr Bell observes, 'the change takes place with appalling suddenness; not a breath is drawn, nor a word uttered, nor a struggle to indicate pain, nor a feature discomposed.' And although this exact knowledge does not always confer immediate practical advantage, it seldom fails to lead to some ultimate benefit, and to the acquisition of some unforeseen resources against disease. Those who are engaged in the investigation of any

science, can never see the full extent of the advantages which will reward their diligence, according to the seven-fold liberality with which intelligent industry is always repaid, that no inducement may be wanting to engage in it. The daily instances of respiration being affected in consequence of the presence of some offending matter in the stomach, so often, for instance, exemplified in asthma, are at once explained, when the close alliance between the stomach and respiratory nerves is clearly known; and the less distressing, but inconvenient affections of the same system, producing odd twitchings and catchings of the eyelids, or face, or shoulders, are no longer incomprehensible; and a nearer approach may be made towards understanding that singular disorder, called Angina Pectoris, which certainly does not always depend on a diseased state of the heart. Abundant pathological evidence is scattered through the pages of Mr Bell's work, and bearing on all parts of the inquiry.

In one instance, the inconvenience of cutting a branch of the portio dura, going to the angle of the mouth, though not very great, was yet very marked; it was done by Mr Bell himself, in taking out a tumour from before the ear of a coachman, and the man complained that he could no longer whistle to his horses. Numerous cases, indeed, of a similar kind, have now been amassed, and the Appendix to the Papers on the Nerves, consists entirely of such, chiefly communicated to him by other practitioners, and completely proving all that is required.

Whatever difference of opinion may exist concerning the extent to which experiments are useful, it cannot be doubted that, in the eagerness with which they have been prosecuted, many obvious and useful hints which they suggest as to the pathological conditions of the body, have been too much disregarded. The functions of sensation and motion, for example, are often, and in various degrees, separately affected; so are the functions denominated vital, and the functions of the mind. In some instances, the respiratory functions, according to Mr Bell's extended signification of the term, are no less so: They remain unaffected when there is loss of common motion and sensation, and they are violently agitated when neither sensation nor voluntary motion are disturbed. Future observation may detect equal separateness of other functions, as well as connexions between them. The dreadful struggles of hydrophobia commence in a peculiar irritation of the whole system of respiratory nerves; the breathing is rapid, the larynx intensely sensible, the expression of the countenance peculiar and indescribable, and the sensorial and motor nerves become secondarily

involved in the terrible disturbance of the frame. Hysteria sometimes presents an affection of the nerves still more exclusively confined to the respiratory system, although all classes of nerves may be implicated in this disorder. The instances of asthma, tetanus, chorea, catalepsy, and convulsions, require only to be mentioned; but if we would see the indubitable extent of the influence of the respiratory actions, we could nowhere find it more impressively exhibited than in one of the most frequent of the many forms of death, from chronic disease. In this melancholy act of almost finished life, the body is bent forward, the hands are stretched out for support, the chest heaves, the shoulders rise with each laborious inspiration, the eyes are wide open, all voluntary motion suspended; no questions rouse, no kindness soothes the patient, and all the changeful expression of the face is taken away; the unconsciousness and immobility are such, as if the organs of motion and of sense alike were too intently occupied with the peril of another and a vital function, to renew their own. The respirations become separated by longer intervals, and performed by the auxiliary effort of more and more respiratory muscles; and when the chest can no longer be in any way expanded, the convulsive actions of the lips and nostrils form the last ineffectual efforts of respiration in the remote and minute muscles associated with that office; this system of nerves retaining its sensibility later than any other, or, in Mr Bell's words, being 'the 'last to die.'

It might be inferred, from what has been said of the value of anatomical investigation, that the tracing of the nervous system in different classes of animals, would often elucidate what without such help could not readily be understood. The addition, or absence of a part in animals peculiarly endowed, naturally explains the uses of such parts, or corrects erroneous conceptions concerning the use of them. Mr Bell has fully availed himself of the knowledge to be gained in this way. He observed that in creatures which did not breathe, and in which the mouth had but one function to perform, one nerve only was given to the mouth; that when the face and nostrils had no complexity of relations, and the throat no complexity of organization, there was no complication and variety of nerves; and turning to the multiplied offices and nerves of the same parts in man, he felt irresistibly how closely these two things were bound together. On another occasion, his brother-in-law, Mr Shaw, by whose recent and lamented death the sciences of anatomy and physiology have been deprived of a most diligent and enlightened cultivator, had an opportunity, in the

dissection of the trunk of an elephant, of proving that two nerves were supplied to that useful part of the animal, previously described by M. Cuvier as having only one; a description which, as the trunk was evidently an organ of sensibility as well as of motion, seemed to be altogether opposed to Mr Bell's doctrines. It was found by Mr Shaw, that not only were branches of the fifth nerve sent to the trunk, as described by Cuvier, but a branch from the portio dura was sent also, of the size of the sciatic nerve in the human subject; thus exactly confirming the opinions entertained respecting the divided offices of these two nerves. Many other examples of the value of comparative anatomy are met with in the Exposition, several of which have been already noticed. Yet, as regards the uses of the brain and cerebellum, and of their different parts, this study has certainly been less profitable than might have been expected; and even many of the difficulties which beset the minor arrangements of the nervous system, continue undiminished amidst the widest opportunities of comparative observation.

However varied the form of animals, or however multiplied their peculiar functions, we see no more than corresponding additions of cineritious matter, deposited in ganglionic granaries, wherever the peculiar supply is required; and the contrivance in the nervous system for the finger-formed prolongations of the flying-fish, or for the branches furnished to the electrical apparatus of the torpedo, do not differ in kind from that for the nerves of the superior and inferior limbs of the human body, being chiefly superadditions of cortical substance. If the developement of the brain and spinal marrow of the fœtus exhibits in all varieties of animal formation a canal, or groove, closed before birth, which remains open during the whole of life in fishes, reptiles, and birds: If previous to the third month of fœtal life, or later, there are no pons varolii, no pyramidalia corpora and olivaria, and if fishes, reptiles, and birds, are destitute of these eminences; if at this period the cerebellum of the human fœtus has attained the utmost degree of evolution to which in fishes and in many reptiles it ever reaches—we are not yet able to assign any reason for such circumstances, or to connect them with any precise gradation of function. And although, ascending in the scale of animal creation, in the gradual developement of the anterior and superior portions of the brain, in the volume and depth of the hemispheres, in the increasing number of anfractuosities and convolutions, we seem more clearly to connect peculiarity of conformation with enlargement of intellectual capacity, we are no less in the dark respecting many minute parts of the cerebral structure, the pineal gland, for instance, which

has often been regarded as a particle of great dignity and importance, and which, appearing in the human fœtus about the fourth month, and possessed by mammiferous animals, by birds, and by reptiles, is yet absent in fishes.

The actual importance of Mr Bell's discoveries, no less than our own estimation of their value, makes it incumbent upon us to say something more of the claims which have been put forth to the honour of having made them. We shall limit our remarks strictly to such claims, not choosing to interfere in the matter of objections which may furnish ground for future investigations. It is not our ambition to decide concerning points which, without any deduction from Mr Bell's high merit, may yet be considered doubtful by other physiologists, anxious, we doubt not, like himself, not to assent to what may not be correct. In touching on other and somewhat tender points, we shall endeavour so to keep in view the possible misconceptions and self-delusions of those whom we should be sorry to charge with anything more heinous, as to do justice in a manner the least painful that may be to those who have obstructed it.

Whether such a general excuse be applicable to M. Magendie, he alone can truly tell; but it is plain that Mr Bell and his friends do not consider the French physiologist free from very glaring plagiarism. Apparently acquainted with all Mr Bell's previous publications; after having in an especial manner praised and given publicity to the first paper on the nerves of the respiratory system; after witnessing, in consequence of his own request, some of Mr Shaw's experiments in Paris, on the fifth and seventh nerves, and receiving from that gentleman very full explanations of the opinions entertained by Mr Bell and himself, as well as copies of the plates illustrative of those opinions, and showing the difference between the two grand classes of nerves, and the analogy between the fifth nerve and the nerves of the spine; after learning Mr Bell's division of the nerves into the regular and irregular, or symmetrical and superadded,—of which division, before he became acquainted with Mr Shaw, he never, in any line of his writings, showed that he entertained the most remote conception; he comes forward and lays claim to the discovery of the first order of nerves; and then, going a step farther, lays hold of the fifth nerve, the true offices of which may be said to form the second link in the chain of Mr Bell's discoveries, and asserts it to be a nerve of sensibility only, and of very peculiar sensibilities; forgetting, in his eagerness to see more in this nerve than Mr Bell had seen, that it was not the sensibility of this only, but its divided function and double root, and its analogies with the spinal

nerves, in which Mr Bell found a support and confirmation of his first opinions.

It is painful to believe that M. Magendie well knew how, from a knowledge of the regular order of nerves, Mr Bell was led to a knowledge of those of the second order; that, familiar with every step of the process, he came forward fifteen years after Mr Bell's annunciation of the different offices of the anterior and posterior roots of the spinal nerves, and declared himself to be the discoverer of their separate functions. We know, however, that M. Magendie has frequently repeated the experiments first made by Mr Bell in 1809; and yet, that to this day he professes to doubt whether such experiments have ever been made in England. By the numerous and not very precise experiments to which he has subjected the fifth nerve, (that nerve which had been so serviceable to Mr Bell,) and particularly by dividing it within the skull, M. Magendie seems at last to have wholly mistaken its true character. Apparently not perceiving or not understanding its double origin, of its double office he has no conception. Misapprehending the kind of sensibility with which it is endowed, he elevates it, as another discovery, into the nerve of all the senses; and he has actually been to London, not only to show as his own experiments, what had many times been shown before, the different offices of the spinal roots; not only to teach the English, what Mr Shaw had taught *him*, that the fifth nerve was a nerve of sensibility; but to declare the inutility of the optic, olfactory, and acoustic nerves, for seeing, or smelling, or hearing! Pursuing a train of reckless experiments on the cerebrum and cerebellum, he produced, no doubt, various combinations of motion or the loss of motion; and on this built an hypothesis of opposing powers in the nervous system, as much contrasted, by its uncertainty and want of connexion or utility, with the opinions maintained by Mr Bell, as its suggestion was with the philosophical deductions from whence Mr Bell's opinions were derived. We do not deny that M. Magendie has had the merit of proving some of Mr Bell's conclusions by experiments which were conclusive and satisfactory; and we would willingly extend our courtesy to a physiologist of his nation very far. Happily, as his countrymen have been freed from the oppressive folly of the old system of things and opinions, there is yet visible, even among those of them who are distinguished by scientific acquirement, much of the good old propensity to regard France as confessedly the wisest of all possible countries, the first beyond all comparison in all kinds of excellence. Hence it is that they possess comparatively little acquaintance with what is done in other countries,

give themselves no trouble about the progress of their neighbours, can with difficulty imagine anything to be, or to have been, invented in any country but their own—and so, often claim, and proclaim with much solemnity, and at least half in good faith, as new, what all the world but themselves have known long before. It is to be confessed, however, that the plea of ignorance cannot be of much use to so able a prosecutor of physiological science as M. Magendie. His own writings inform us that he possessed and had read the 'Idea of a New Anatomy of the Brain.' He quoted it in 1822: and yet, in the following year, we find him alluding to the English physiologist, not as the person who first showed that different portions of nervous matter were bestowed for different purposes and functions, but as the author of a very curious discovery—that of the faculty by which the sentiments are expressed in the countenance! thus avoiding the injustice of passing Mr Bell over without notice, and condescendingly introducing him to the grave and enlightened members of the institute, as a kind of clever physiognomist. This is surely *not* ignorance—nor is it self-delusion.

An extreme admiration of the French schools of anatomy and physiology has for some time prevailed in England, and has seconded, in no small degree, the exclusiveness of our neighbours—giving success to their boldest attempts to wrest from us, what, with less pretension and less haste to publish, had been long brought out by the labours of our own countrymen. When M. Magendie was in London, his experiments (setting aside their cruelty, which was, however, publicly and strongly reprobated) were considered so new, and their results were so unexpected and thought to be so undeniable, that it scarcely occurred to those who witnessed them, that within a short distance of the theatre in which they were performed, the most useful of them had actually been *first* performed by Mr Bell; and that all that was really known in consequence of them, all which was of a nature to be permanent, all in fact which now rests unshaken, had there been pointed out originally, and again and again, and year after year, for many years. In France such unreflecting enthusiasm would have been less extraordinary. Bichat, a man of genius, and therefore to be spoken of with respect, had but a few years before attempted to abrogate all ancient authorities concerning the Nervous system; and passing over all the writers of this country in silence, had boldly essayed the invention of a system of his own; elevating the ganglia into little brains, and assigning sensation and motion to the cerebrum. This hypothesis, the papers on the nerves by Mr Bell had

scattered to the winds, never to assume shape or body more. Thus disconcerted, the national honour was concerned in getting up some new opinions; and the process of observation being too slow for ardent minds, even invention failing, Mr Bell's system was kidnapped, out of pure patriotism—disfigured a little that its identity might be a little confounded, and sent back for the edification of our own school, to be received, as imposing strangers generally are, until they are found out, with admiration, and compliments, and delight. An eminent English anatomist, however, who had depreciated Mr Bell's labours in no very measured terms, mingling his admiration of Magendie with some little consideration for himself, and preserving a remarkable abstinence of allusion to Mr Bell, claims, both the first discoveries, and the inferences which led to subsequent ones, and still, by an odd fatality, mistakes the nature of the fifth nerve, and magnifies the Frenchman for the confirmation he had afforded him concerning the nerves of the spine; although at a much later period, and after the benefit, no doubt, of much consideration, he states that the experiments of both were but improvements upon those which Mr Bell had previously performed; and speaks of the Essays on the Nerves as containing valuable facts, and as having the merit which belongs to originality.

On the subject of any, or all of these claims, we imagine Mr Bell feels very little uneasiness. He is only paying the price which discoverers have always paid to the selfish ambition of their fellow-creatures,—of those especially who, travelling in the same path, feel some natural disappointment when they find they have overlooked the treasures which lay by its side; and, forgetting how sure and impartial are the judgments of posterity, first desperately deny the value of the prize, and then claim it for themselves. A retrospect of the controversies and heart-burnings of men of science in past times, is the surest remedy for any disquiet which a renewal of such proceedings may possibly communicate, even to those who have the most positive conviction of the priority of their own claims. The discoverer of the circulation of the blood, a discovery which, if measured by its consequences on physiology and on medicine, was the greatest ever made since physic was cultivated, suffers no diminution of his reputation in our day, from the incredulity with which his doctrine was received by some, the effrontery with which it was claimed by others, or the knavery with which it was attributed to former physiologists, by those who could not deny, and would not praise it. The very names of these envious and dishonest enemies of Harvey are scarcely remembered; and the honour of this great discovery now rests, beyond all dis-

pute, with the great philosopher who made it. If we are no less just to William Hunter, as the first to discover the functions of the lymphatics, we are not influenced in our decision by the acrimony with which he defended it from the grasping ambition of another great man, who was here at least a follower, and not, as he wished to be thought, a leader. Removed, though never so little, from the immediate time and scene of warfare, we feel no difficulty in awarding to one party the victory, which in the heat and confusion of conflict, both parties so confidently claimed. The immediate reception of truth, or even the particular manner in which it is first received by the public, ought not to be a matter of extreme anxiety, to those who, by their talents and industry, are happy enough to be able to advance it: For the labours they undergo in the cause, are rather performed, than directed, by them. The annals of human knowledge teach us, that its progress, like the advancement of men towards moral excellence, partakes of the nature of a revelation, made through the agency of a succession of individuals, whose intelligence surpasses, in successive ages, that of the great mass of their species; men permitted for great ends, to comprehend, with unusual clearness, some portion of created things, and to look through parts at least, of the comprehensive design of nature, with a more pervading vision than ordinary observers; or, perhaps, to obtain more intense perceptions of that ideal beauty, or harmony, or perfection, which even they can never fully comprehend. Each fulfils his allotted task; some promote and forward natural knowledge, and some encourage our moral aspirations; some direct and inform, some rouse and elevate,—but all improve their fellow-creatures. Some devise, and some execute; some merely project what they have not time to perform, and others perform what they have not genius to project; some, by an intuitive vision, or peculiar felicity of nature, behold afar off, and soon become possessors of what are to others the objects of slow and painful attainment: to some the gift of tongues is given,—to some that of prophecy. But an unerring hand guides all the stages of this great progression; and truth, which for ever steadily advances, is always duly apportioned at last, to those great benefactors of human science and virtue, who have been permitted to obtain a glimpse of it for ends full of benefit to mankind. In the mysterious government of the world, the highest privileges of intellect are so often associated with counterbalancing infirmities, that those who are permitted to deserve the gratitude of their age, may be well content, if, without incurring this sad penance, they merely suffer from the little hostility, or little arts of those whom vanity alone has elevated

into rivalry. Satisfied with the living evidence within their own breasts, and not despising the opinion of their fellow men, they should neither be surprised nor grieved, far less should they be soured or irritated, if that justice is for a time withheld from them, which is always unerringly rendered in the end.

To this Exposition of the Natural System of the Nerves of the Human Body, then, by Mr Bell, little or nothing has yet been added by physiologists, at home or abroad. What has been discovered in the same department by some of the foreign anatomists, merely confirms some of the circumstances on which the Exposition rests. On the continent, as well as in this country, the merit of having been the first to describe this part of the human body, is very generally conceded to him. The difficulty of some of the experiments, may make the cautious withhold an unqualified assent to the whole of his views and opinions: But the discoveries taken altogether, relating to the functions of the Nerves, are, we need hardly say, universally allowed to be among the most important, we believe we might say *the* most important, which have enriched physiology in the present age. Mr Bell was the first to show that the ganglions, instead of cutting off sensation, were necessary appendages on the roots of all nerves, whose office it is to bestow common sensibility. He showed that thirty-one nerves went off in regular succession, from the brain and spinal marrow, similar in their composition and in their functions; that they had each two roots, one bestowing the power of motion, and the other sensibility; that the tractus motorius was a column extending from the origin of the third nerve to the termination of the spinal marrow, and that all the nerves that went off from it were muscular nerves. He proved that the fifth pair of nerves was the source of sensibility to the head and face, and to all the interior parts of the head; that the two nerves to the face were different in function,—the one being a branch of this fifth, and therefore the nerve of sensibility, and the other a nerve without a ganglion, a muscular nerve; and by decisive experiments, he proved, that when the one was cut, sensation was taken away; and when the other was cut, the parts were deprived of motion.

These were most important discoveries; simple and very intelligible: But his observations on the next subject, the respiratory nerves, were necessary to crown the whole. The reader, however, must be a student of anatomy, in order to comprehend the value of them; he must have had experience of the extraordinary intricacy of the nerves, before he can acknowledge his obligations to this author. These form the great outline of Mr Bell's discoveries; but they are supported by investigations

into the functions of the different organs: As, for example, the actions of the throat, the motions of the nostrils, the actions of respiration, the effects of passion, the uses of the apparatus around the eye, &c., each of which might form a distinct essay: And, we may add, any one perusing these essays, even if he understands nothing of the Nervous system, would be led to acknowledge our author's merits in the minute detail, patience, and ingenuity evinced in each.

That further discoveries remain to be made, nobody is more convinced than Mr Bell himself. To some, indeed, he distinctly points; and some he may perhaps illustrate, in the new scene of exertion on which, with the experience of mature age,—with the accumulated wisdom of a studious life,—and with undiminished energy, he is now entering.* But should he do no more than he has already done, he may very pardonably indulge in the complacent reflection, that for many discoveries hereafter to be made by others, his works must be the guide and the example. He has shown how views conceived by one mind are to be established, so as to be presented with conviction to the minds of others. He has cleared a vast extent of territory, overgrown until his time with the weedy speculations of all past ages; and having shown that the soil richly deserves the labours of cultivation, he has also indicated the direction in which that labour may be most profitably applied.

Of the ultimate processes by which our intellect is opened, through the windows of the senses, and by means of nerves, to some of the properties of the exernal world, no less than of the hidden processes of thought, feeling, and imagination, we are yet unquestionably in a state of very profound ignorance. We trace nature into her laboratories, and find everything of rare and curious construction; we sometimes can even ascertain the tools and materials with which her miraculous designs are effected; but we never find her actually at work. Nor is it probable that we shall ever attain a knowledge which is not necessary for the purposes of our existence, or ever be able to explain why one expansion of nerves should enable the brain to receive impressions through an optical instrument, or another to receive the impression of sounds, or another of odorous particles flying off from other substances, invisible, inaudible, and to touch impalpable. The same mystery will, perhaps, for ever hang over the internal sense on which the motions of the heart, and the

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* Mr Bell is appointed Professor of Physiology in the London University.

unfelt actions of the stomach intimately depend, and in consequence of which, whether we sleep or are awake, or take exercise or rest, they perform functions, from infancy to age, on the continuance of which our life, corporeal and mental, altogether depends. Much time has been wasted on these recondite questions, and the consequence has been, that the more useful and exact knowledge of the parts of the Nervous system, contributing nervous energy according to the office and necessities of the separate organs, has been left for later discoverers. Engaged in subtile disquisitions touching life and death, and the reciprocal influence of the body and the soul, physiologists forgot to bring their philosophy down to earth, that it might be applied to useful purposes. Hotly debating the disputed doctrines of vibration, or a nervous fluid, as the medium of sensation, volition, and the power of motion; dilating through many argumentative pages upon the tenuity, velocity, and nutritious, alkaline or *explosive* properties of a fluid, of which neither they nor anybody else had ever seen a single drop, it seldom occurred to the disputants to question the actual possession of any of these properties by the nerves, and never to examine into their actual powers and offices. Men's researches, however, have now taken a new direction; and their ambition, though less lofty, has been fixed on objects, more within their reach. Future investigators may trace the separate nerves of volition, and of involuntary actions, to their very source,—follow the intricate fibrils up into the medullary substance of the brain, demonstrate their integrity there, or pursue their origin into the grey substance, and make intelligible and clear all the singular arrangements of the cerebral mass. The lateral columns may be shown to have a greater extent, and more multiplied influences. The nerves of each distinct function, may be found to form a distinct system, though involved with other systems, both anatomically and physiologically; and these systems may be traced successfully to one or more centres in the grey portions of the nervous mass,—to several, each the centre or source of the separate system,—or to one, the great centre or source from which all the systems derive their manifold properties. The great sympathetic, or intercostal system, may become clearly understood, with the extent of the dependencies and relations of the circulating, digestive, and other functions, and all which relates to

> " This knot intrinsicate
> Of life,"

may finally be apprehended by the faculties of man.

Between the facility of imagining these and many other arrangements, and the skill and labour required for their proof, the

difference, however, is immense; and none can ever advance towards the demonstration of what may yet have been eternally true, except by long-continued observations, made without partiality or haste, and by occasional experiments conceived in a philosophical spirit, and practised with the extremest care. It is not for us to limit conjecture. The light of imagination may sometimes be advantageously thrown over regions of discovery yet unexplored, as the torch of the practised guide is held so as to illumine caverns, into which the prudent traveller can hardly venture to step. It is only when descriptions, founded on such transient views, and gathered by such unsteady gleams, are given to the public as faithful and secure directions, that any harm or danger can arise. They who aspire to perpetuity of honour, and would, in good faith, communicate instruction to the world, must venture farther, and labour more,—must dare to descend, and submit to creep, and struggle to climb,—must bear frequent disappointments, and endure many repetitions of unsuccessful trials,—that, at last, leaving nothing unexamined, they may record their investigations, not in the seductive characters of novelty only, but in the unerring and durable lines of truth.

ART. VIII.—*An Inaugural Discourse, pronounced on the occasion of opening the Theatre of the City of London Literary and Scientific Institution, in Aldersgate Street, on Friday, April* 24, 1828. *By Thomas Denman, Esq., Common Sergeant of London.* London. WILSON. 1828.

THE establishment of the Mechanics' Institution in London, at the close of the year 1823, has been frequently referred to as an event of great importance in the history of general education. Its immediate consequence was, as every one acquainted with the state of the country expected, the adoption of the plan in the provincial towns; and although the distresses which soon after followed materially obstructed the progress of the system, it is most pleasing to find, that the effects of those bad times have been of short continuance, and that in some places, where the rising seminaries of popular instruction had drooped the most, they have now regained their strength, and are nearly as flourishing as before the calamitous visitation of 1825, while those that had suffered less are making more rapid advances.

The diffusion of the original system through the country was

hardly a more natural, or a more immediate consequence of the proceedings in November 1823, than the adoption of a similar plan by persons engaged, like mechanics, in the pursuits of active life, but in a higher station and easier circumstances. Early in 1825, some young men, engaged in commercial pursuits, under the superintendence of Messrs John Smith, John Abel Smith, and George Grote, and with their zealous assistance, formed themselves into an association for the purpose of obtaining those advantages of education, from which the habits of a busy life are apt to exclude the trading and professional part of the community. The numbers that immediately joined them at once proved the demand for this new Institution, and the certainty of its success; showing, that they who wanted instruction were sensible of its value. Four hundred members were at once enrolled, but the average has been six hundred. The subscription was limited to two guineas a-year; and with assistance from the President, Mr John Smith, a man to be venerated for his constant, but judicious support of all good measures, and from the vice-presidents, they have been enabled to obtain spacious premises in Aldersgate Street, and to build a Lecture Room adjoining to them. It was on the occasion of opening this, that the Discourse now before us was delivered.

The benefits of this Institution are of two kinds; the Library and the Lectures. The former was established in April 1826, and already contains above 2000 volumes. Nothing can be clearer than that the advantages of a mere Library of reference are extremely limited; to make books really useful they must be read at home. Accordingly, this collection is allowed to circulate—each member being allowed two volumes at a time; and the average issued each day is upwards of 100 volumes.

The lectures have, even under the inconvenience of a hired room, for the temporary purpose, gone on without interruption; one at least being delivered every week, and very frequently two; and they have treated of most branches of Science and Literature. Classes for the most useful languages have, at the same time, been taught; Latin, French, Spanish, and Italian. By these instructions, a large portion of the members have benefited; and a report now before us, after observing that other studies have been occasionally pursued, as Shorthand and the use of the Globes, adds this gratifying statement, 'that as often 'as any number of persons may happen to concur in attachment 'to any particular science, it has been the duty, as well as the 'pleasure, of the Committee, to afford them the amplest facilities 'for studying it.'

Thus far the Institution is formed upon the model of the Me-

chanics' Institution; but an interesting addition has been made to the plan. One night in each week is set apart for discussing Historical, Moral, and Political questions; avoiding, of course, all subjects of a party or purely controversial nature. This branch of the establishment, although at first objected to from the apprehension of its abuse, and perhaps still more from the fear of exciting alarm, has been found to answer the most sanguine expectations of its advocates. 'The subjects considered,' says the report, 'though usually solid and scientific, have been so handled as constantly to keep alive and captivate the attention of the class. The number of members engaged in it has been unusually great: and the Committee have remarked with pleasure, how much it has instigated the members to seek the requisite previous instruction by private reading in the Library. Acceptable and interesting as this class has proved, it is still more valuable from the habits which it tends to form among the members, of investigating and explaining the reasons for their opinions, and of hearing and canvassing the arguments urged by opponents.'

The plan of this Institution has been adopted elsewhere, including the weekly discussions. At the west end of the town, and in Southwark, similar associations have been formed; the former already reckoning above 700 members. It is a remarkable and gratifying circumstance that these Institutions have not been materially injured by the commercial distresses. The largest, indeed, the Western, was formed at the very period of the greatest embarrassments.

Of the Discourse with which the New Building was opened, it is impossible to speak in terms of too high admiration. The great celebrity of its author, indeed, while it was calculated to raise expectations, which few beside himself could satisfy, afforded, at the same time, an ample guarantee against their disappointment. No one who reads it will rise from the perusal, without being both instructed and gratified; and the only objection to which it is exposed, is the most flattering that can be brought against such a production: it is too short,—the reader desires to have more. Not that there is anything slight or jejune in the handling of the subjects; on the contrary, each successive topic is treated in a manner as searching as the style is eloquent and impressive. But we feel that the learned author would have gratified us more, if he had dwelt longer upon some matters; and had given his audience credit for more patience than his modesty has disposed him to expect from them. We could willingly give our readers the whole of this admirable discourse, but that our limits prescribe selection. The follow-

ing sentences well state the advantages of combining a literary taste with commercial pursuits.

'The very least advantage that can arise, is the acquisition, by great numbers, of a taste for English Literature. Let us pause for a moment, to consider the extent and value of this alone. Ask yourselves, if any prospect of emolument would tempt you to forego it; and in observing others, contrast the man of active habits, who can devote his hours of leisure to this intellectual gratification, with him who is destitute of such a resource. Most of us have observed, in various departments of life, strong natural talents, acting with marvellous precision in some narrow round of daily employment, but, from the want of general cultivation, incompetent to any other effort. How lamentable a waste of time would have been reclaimed in such cases, had all the faculties been taught activity! how many starts of unseemly irritation, how many tedious hours of languor, would have been avoided! How many low-thoughted cares of sordid gain, how much degrading sensual indulgence, would have been changed for the purest enjoyments, at once independent and social in their nature, delighting the mind in its intervals of idleness, and bracing it for the more cheerful and effective discharge of duty!

'The character here alluded to is fast disappearing from among us, and will shortly exist in tradition only. The same degree of ignorance and intellectual apathy, is from henceforth rendered impossible, by the all-pervading activity of the periodical press. But we are become so familiar with the means by which the mighty machine carries on its civilizing process, as to be in some danger of undervaluing, if not forgetting, the service performed. Even while that great object, the extinction of unlettered barbarism, is in a rapid course of accomplishment, we are often invidiously told of what is of necessity left undone, and reminded of the poet's disparaging sarcasm against "a little learning." Assuredly an ampler supply is much to be desired: but a beginning must be made. The progress of accumulation is by nature slow and gradual; and the smallest portion of learning is better than none at all,—partly for its own intrinsic value, and still more as the indispensable forerunner of further acquisitions.'

Having spoken of 'tracing the illustrious family of our poets, 'through an unbroken pedigree, from Byron back to Shak-'speare,' he breaks out in this fine passage:—

'At the sound of that great name, I pause for a moment. Not ambitious to break a lance with the long train of our eminent critics, who have exercised their talents in his praise, I will merely observe, that their eulogies always succeed in raising our estimation of the writers, but have uniformly failed to do justice to their subject. A few simple facts record the praise of Shakspeare,—the insatiable demand for his works—the swarming theatres, which find them ever new and delightful—the pride with which real dramatic genius aims at embodying his conceptions, while it disdains to receive its task from any meaner hand. His power is manifested in tears and smiles, in agony and rapture, on its first display to the sensibility of youth, and in the tranquil delight of reflecting age, on the hundredth repetition; in the permanency imparted to our language by the richness, the strength,

the ever-varying graces of his style; in the gentle, yet generous spirit, the sympathy with all the kindly affections, the high feelings of magnanimity and honour, by which he has produced a lasting effect on the character of Englishmen.'

The mention of Shakspeare reminds the orator of 'a very 'homely fact, yet not unseasonable on this occasion,' that his immortal works were chiefly composed in the metropolis; and thence he takes occasion to remind his audience, that in the midst of London and its thronged engagements, and in the bustle too of his official life, Bacon composed his *Novum Organum;* and that the same vast capital was a choice scene of Newton's labours. Whether these facts be put '*magis rhetorice,*' or not, the following matter which they introduce, is as happy in itself, and as appropriate to the occasion, as it is felicitous in its connexion with the preceding part of the discourse.

'It was in this city, in this immediate neighbourhood undoubtedly, perhaps on this very spot, that Milton, a native of London, composed the sublimest of all human compositions. His careful biographer, Mr Todd, has so described the situation of his house, as to make it highly probable that we are now assembled on its site. It was then "a handsome garden-house "in Aldersgate Street, situated at the end of an entry, that he might avoid "the noise and disturbance of the street. Here he received into his house "a few pupils, the sons of his most intimate friends, and he proceeded "with cheerfulness in the noblest employment of mankind, that of instruct-"ing others in knowledge and virtue." With what approbation would his free spirit look down on the work you have achieved! How congenial to his own profound and most liberal views of education, the business which now engages us! how gratifying to have foreknown, that the same scene, in which a few were then urged by him to painful studies in certain branches of learning, would be eagerly resorted to by hundreds, as a theatre for teaching everything that science and letters can bestow!

'These recollections, however interesting, I might have abstained from reviving in your minds, but for the practical inference, which grows out of them. The splendid names of Shakspeare and Milton, of Newton and Bacon, are not the only ones by which the argument may be maintained; for almost all the literary trophies that dignify our country, have been earned in London, and a large proportion of them by men engaged in the active concerns of life. If they then, "in populous cities pent," in the thronged abodes of trade, and politics, and pleasure, could give their imagination so wide a range, or task their reason with speculations so abstruse and severe, shall we effeminately decline to reap the fruit of their toils, merely because we live in the place where they were performed, and give some hours of our time to occupations akin to theirs? Shall we not rather exemplify the truth taught by experience, that the necessity of appropriating time, imposed by the exigencies of active life, may be made available for every useful purpose? that some portion of leisure may be carved out of every day, and cannot be so well employed, as in extending our knowledge, and multiplying our attainments?'

We add the conclusion, not only for the singular excellence of the composition, but still more for the incalculable importance of the sentiments which it conveys. The address to men of the order from which those Juries are taken, who have to decide every question of moment between the government and the people, is well worthy of the deepest reflection. We have lived in times when the office of jurors alone saved the liberties of the country. May the day be far distant when such an appeal shall again be made! but if made, the improvement which has been effected in the interval, will give us new securities that it cannot be in vain.

'To this class to whose advantage your exertions have been devoted, belongs the profession of the Law,—a profession, so much interwoven in all the affairs of men, and on whose integrity such absolute reliance must be placed, that in them the elevation of character produced by literary habits is a positive gain to the public. From the same class also those Juries are drawn, who form the only real safeguard of all our rights. The truth can never be too often repeated. But if juries are deficient either in intelligence or independence, if their minds are unenlightened or their spirit servile, farewell to the blessings of that boasted ordinance! it will then be, as it has often already been, but an engine for effecting crooked designs, and a cloak for disguising them! Farewell to the hopes of legal and judicial reformation, of short, and cheap, and simple methods of procedure, which, it is now apparent, can only be expected from the practical good sense of a vigilant, a well-informed, and a considerate Public.

'In still higher regions of political science, in the exalted sphere of Government and Legislation, the action and reaction of theory and practice will strike out still more extensive good. Few members of this Institution probably are without some influence in parliamentary election, and many may, at some period, be themselves elected: many may be appointed to a share in the executive administration of public affairs. In the exercise of these rights, and the discharge of these duties, what stronger stimulus than the hope of serving our country, by the application of just principles to such important ends? what more encouraging support than a free intercourse with kindred minds, long exercised in similar discussions? what sweeter reward, than the consciousness of struggling—not at all times unsuccessfully—for the great interests of mankind, for the sacred cause of truth and justice, of freedom and humanity?

'I wish these weighty considerations had been urged by a more powerful advocate. They are a theme for talents of the highest order, acting freely, in perfect leisure, undisturbed and undivided. He who, without any of these, has now rather invited your own reflection to the noblest subject than discoursed upon it, felt it impossible to decline the task, which a too partial kindness assigned him. This was forbidden, not only by his sympathy with your feelings, but by the sentiments of esteem and confidence which he has long cherished towards his respectable friends, the promoters of your Institution, and by his attachment to that illustrious City to which he is proud to belong. For nothing can so effectually

contribute to the prosperity and honour of London, as the emulous advance of her sons in the career of Science and Literature. He trusts that his zeal may in some degree supply what is wanting in ability; and he can offer at least his testimony as a witness, speaking from experience and observation, to the value of literary pursuits as means of happiness. They are, in truth, in the language of that lesson imbibed in his early years, "the nourishment of youth, the delight of age; the ornament of prosperous life, the refuge and consolation of adversity; the companion of our "weary travels, of our rural solitudes, of our sleepless nights." These words were uttered near two thousand years ago by the great Statesman and orator of Rome, who in those characters performed but a fleeting service to his own country; while, as a Philosopher and a man of Letters, he has conferred benefits on all mankind which must be felt while the world endures.'

ART. IX.—*Supplement to the Etymological Dictionary of the Scottish Language: Illustrating the Words in their different Significations, by Examples from Ancient and Modern Writers; showing their Affinity to those of other Languages, and especially the Northern; explaining many Terms, which, though now obsolete in England, were formerly common to both Countries; and Elucidating National Rites, Customs, and Institutions, in their Analogy to those of other Nations.* By JOHN JAMIESON, D.D. Fellow of the Royal Society of Edinburgh, of the Society of Antiquaries of Scotland, of the American Antiquarian Society, and Associate of the First Class on the Royal Foundation of the Royal Society of Literature. In 2 vols. 4to. Edinburgh, 1825.

IT is now full twenty years since we noticed the original work, of which a Supplement, equal in size to that original, is now before us. On that occasion we took the liberty to point out some deficiencies, which have been since amply supplied, both by the author's own enthusiastic diligence, and the contributions which have poured in, in aid of it, from all possible quarters. It is now, we think, a very considerable, and nearly a complete work; and must be regarded with interest, not merely by the philologist or student of languages, but by all who are curious about old customs, superstitions, and opinions, or the gradual change of manners and occupations in society for the last five hundred years. Of all these things, the vestiges are left far more surely in the language of the common people and of old authors than in any other memorial,—and, to those who

have the knowledge and sagacity to trace them, there is scarcely an obsolete phrase in a neglected writer, or an uncouth word which lingers in the remote parts of the land, which does not, on the one hand, illustrate some curious trait in its early story, and may not, on the other, be distinctly explained by a reference to the less familiar facts which that story embraces. It is in this point of view chiefly, that we prize the elaborate and comprehensive work before us. As a great collection of etymologies and etymological corrections, it has undoubtedly a high philological value. But its true and most important character is that of a vast treasury of facts relating to the history of the northern parts of the empire, or rather of that period in the history of the races by which they are peopled, which is now fading from recollection—and of traits in their manners and usages which, not being likely to find a place in the records of their public transactions, could only be snatched from oblivion by the minute researches, and multifarious learning, of an antiquarian lexicographer.

We cannot but wish that Dr Jamieson, instead of presenting us with a new alphabetical series, or second Supplementary Dictionary, in his recent publication, had recast his materials in an enlarged edition of the whole work. This, of course, must be done in the next impression. But, as we think it very unlikely that any considerable additions can be made to his stores, it would plainly have been much more convenient to have had it done now. Men will naturally grudge the trouble of a double reference whenever they want to be satisfied on any particular subject—and may complain, besides, that the size and the price of the work are needlessly increased by the repetitions and references, which are unavoidable on such a scheme of double entry. We wish also that he had been a little more scrupulous about admitting words on the authority of modern Scottish writers of no great weight or consideration. We would not always trust to the exactness of Sir Walter Scott himself in this particular; nor be sure that he does not occasionally coin a well-sounding archaism, when it is too much trouble to recollect one. But we are quite sure that little reliance can be placed on some of the more obscure dabblers in modern Scotch, to whom Dr J. has now and then condescended to refer; and though it is probable that the learned author is himself aware of the actual currency of the words so given, we think it would have been better to have referred generally to the usage, than to the fact of their insertion in works of no credit or authority.

But we have a still better suggestion to make to Dr Jamieson; and, before entering at all on the merits of his present publication, we must say, that we trust he will take seriously into considera-

tion the proposal we now make to him, to collect and digest out of the rich store of materials it presents, another and a more legible work, in the shape of connected dissertations upon the language, the manners, the superstitions, and progress of society and opinions among our ancestors. If he does not do this himself, he may depend upon it that some less worthy person will speedily do it for him; and availing himself, with probably no very important additions, of what his learning and industry have now brought to light, will present these facts in a new and more taking form to the public, and thus run away, not only with much of the reputation, which should truly belong to the discoverer, but with a very undue share of the remuneration to which he has become entitled by the meritorious labour of a life. A Dictionary, we fear, can scarcely ever be a popular work—and the talent employed in its compilation is, therefore, too often both uncheered by general applause, and unrewarded by more substantial advantages. When it happens, therefore, that a Dictionary does contain, and does even contain exclusively, the materials for a popular and original work, we are clearly of opinion that, for the sake of the public and of the author, they should be speedily turned to this account; and that by the hand that can wield and manage them with the least labour, and judge of their value with the least risk of mistake. There never was a time in which such a work as we have now indicated could have had a better chance of success—a work dealing in well-authenticated historical details, enriched with curious anecdotes, and striking traits either of local incidents or national manners, and bringing out some characteristic, though perhaps minute peculiarity, by a happy combination of evidence, or an ingenious comparison of neglected notices and obscure intimations.

Of Dr J.'s qualifications for such a work, we feel the more secure, from having looked back to the preliminary dissertation prefixed to the original work, on the Origin and History of the Scottish Language—which, though unavoidably more controversial than any of the other essays would need to be, unquestionably indicates such powers, both of reasoning and research, as are more than sufficient to secure his success in less rugged and more inviting fields. In that work we think he has conclusively established, not only that the Lowland Scotch was derived directly from the Teutonic dialects, spoken on the opposite coasts of the continent, but that its varieties, as we proceed northwards, are distinctly referable to corresponding varieties in the language of those countries. Mr Chalmers himself has been obliged to admit, that the names of places in Orkney and Shetland are not merely Teutonic, but Scandinavian; and we have lately had occasion

to learn that M. Niebuhr, the son of the celebrated traveller of that name, was extremely struck, in his journey from the south to the north parts of our eastern shore, with the increasing similarity of the language to his native Danish.

These, however, are matters of mere scholarship, or obscure history. But Etymology, philosophically pursued, leads to far more profound and curious speculations; and, among others, to the large and interesting subject of the influence of the varying opinions, character, and manners of a people, upon their language; and of the re-action of the language upon their habits and opinions. We are not aware that, with the exception of an early treatise of Michaelis, by no means equal to his after fame, the subject has ever been systematically discussed by any writer of competent learning, though it has been occasionally touched on by various philological and metaphysical writers. In our own language, the origin, and apparently capricious fortune of such words as knight, knave, villain, pagan, right, virtue, &c. have attracted peculiar notice, and led to some interesting speculation. The last of these, indeed, had obtained so peculiarly national a signification among our frugal ancestors, that it is worth while to trace its history a little more particularly. Being clearly derived from *vir*, we cannot be surprised to find that, among the early Romans, it signified primarily valour or courage—the highest qualification of *a man* in such warlike communities—or that, when manners softened, it should have come to comprehend whatever amiable disposition or faculty was in esteem in society. In our own country, as applied to the softer sex, it has, from similar reasons, the peculiar sense of chastity—as being in them the most indispensable of all qualities—so that we may hear it said of a woman that, though confessedly cruel, unjust, or dishonest, her *virtue* is above all suspicion; which would be mere nonsense if said of a man. In Italy it has obtained a still more capricious signification. From being primarily expressive of excellence in general, it happened, not altogether unnaturally, that in a country full of the monuments and studies of the elegant arts, the highest species of excellence should be supposed to consist in great skill and knowledge in these departments—and, consequently, that any profligate who was a good judge of painting and sculpture, should be reckoned a man of *virtu*. With us, in Scotland, the peculiar signification is not less national; *vertue*, with our progenitors, meaning thrift or industry, as Dr J. informs us in the following passage:—

'VERTUE, VERTEW, *s.* Thrift, industry.]

"It is necessar that in everie schyre at leist thair be ane schooll or hous of *vertue* erected.—Any parcellis of cloth, sergis, &c. to be transported

beyond seas, and made in the saidis houses of *vertew* to be frie of all custome—for fyftene yeiris nixt." Acts Cha. I. Ed. 1814, V. 392, 393.

'The word, as used in the same sense, is pronounced *virtue*, Loth. Roxb.

"His landlord, digging stones at the end of that village, told the officers that he was afraid the soldiers would plunder his cottage; they said, 'Poor man, you deserve encouragement for your *virtue*; be not afraid for your house, for we shall order two soldiers to stand at the door, that none may enter to wrong you.'" Life of Peden, Edin. 1727, p. 119.

'VERTUOUS, VIRTUOUS, *adj.* Thrifty, industrious, S.] *Add;*

'Sir W. Scott has kindly furnished me with the following amusing illustration.

"A young preacher, who chose to enlarge to a country congregation on the beauty of *Virtue*, was surprised to be informed of an old woman, who expressed herself highly pleased with his sermon, that her daughter was the most *virtuous* woman in the parish, for that week she had spun six spyndles of yarn."

The word *lawit*, originally signifying *lay*, as opposed to clerical, affords another instance of a similar transformation; having, from the influence of the clergy, come to be equivalent to ignorant or unlearned; and finally, to licentious or immoral. It is thus explained by Dr. J.

'LAWIT, LAWD, LAWYD, LEWIT. *adj.* 1. Lay, belonging to laymen.

Than ordanyd wes als, that the Kyng,
Na na *lawyd* Patrowne, be staff na ryng,
Suld mak fra thine collatyowne.
Wyntown, VII. 5. 120.

The Archebyschape of York
——————— assoyled then
Alysawndyr our Kyng, and his *lawd* men,
Bot the Byschapys and the clergy
Yhit he leit in cursyng ly.
Wyntown, VII. 9. 160.

2. Unlearned, ignorant.

Of all the realme, quhom of ye beir the croun,
Of *lawit*, and leirit; riche, pure; up and doun;
The quhilk, and thay be shame with man's [mannis] hand
Ane count thairof ye sall gif I warrand.
Priests of Peblis, p. 29.

I say not this of Chaucere for offence,
Bott till excuse my *lewit* insufficience.
Doug. Virgil, 10, 31.

A. S. *laeweb*, *lewd*, id. *laewed-man*, a layman; O. E. *lewd.*

And if thei carpe of Christ, these clerkes and these *lewd*,
And they meet in her merth whan minstrels ben,
Than styll, telleth they of the trinitie a tale or twaine.
P. Ploughman's Vision, Fol. 46. *a.*

'The history of this term affords, at the same time, a singular proof of the progressive change of language, and of the influence of any powerful

body on the general sentiments of society. By Bede, Aelfric, and other A. S. writers, it is used in its primitive sense. This meaning it retained so late as the reign of Edward III., when R. de Langland wrote his *Vision of Peirs the Ploughman.* But as, in the dark ages, the little learning that remained was confined almost entirely to the clergy; while the designation by which they were known came to denote learning in general, the distinctive term *lewd* was considered as including the idea of ignorance. It did not stop here, however. The clerical influence still prevailing, and the clergy continuing to treat the unlearned in a very contemptuous manner, as if moral excellence had been confined to their own order; by and by, the term came to signify a wicked person, or one of a licentious life. Hence, the modern sense of E. *lewd.*

'The A. S. word may have been formed from Lat. *laic-us*, which must be traced to Gr. λα-ος, populus. Other dialects retain more of the original form; Su. G. *lek*, Isl. *leik*, Alem. *leig*. It seems doubtful, however, whether *laewed* be not radically the same with *leode*, populus, plebs, Isl. *lid*, Germ. *leute*. V. Spelman, vo. *Leudis*. In Fr. the phrase, *le lais gens* resembles the secondary sense of *lawit*; le petit peuple; Dict. Trev.'

Dr. J.'s learned researches have enabled us to throw some light on the great Shibboleth of modern English speech—the peculiar use of the auxiliaries *will* and *shall*; by their unskilfulness in which, more perhaps than by any other peculiarity, our countrymen are so often bewrayed. It is not, we trust, entirely out of resentment towards this unlearnable system of speaking, that we are induced to say that it is one of the most capricious and inconsistent of all imaginable irregularities, and at variance, not less with original etymology than with former usage, and substantially with itself. It is not perhaps generally known among the English, who value themselves on this strange anomaly, that it is comparatively of recent introduction, and has not been fully established for so much as two centuries.

The Gothic language possesses a separate termination to express the future; but it sometimes also uses the word *skallan*, (debere,) the origin of our *shall*: *munan*, the origin of must; and *haban*, the origin of have. In some instances, the Greek futures are translated, in the Gothic version of the Gospels, by the Gothic present verb, *willyan*; however, it is never used to form the future; but in every case in which it occurs in the New Testament, signifies merely volition, and answers exactly to the Latin *velle*. In the Anglo-Saxon, again, there is no separate and peculiar termination for the future tense,—the present and the future being exactly the same. In colloquial English this is still retained, as, 'I come to-morrow, if it is fine weather:' 'he dines with me 'next Sunday.' The future, however, in Anglo-Saxon, was also frequently expressed by the auxiliary *swal*,—the present indi-

cative of the verb *swoldan*, (debere,) evidently from the Gothic verb already mentioned. Ellfur uses *scal* to express the Latin future. *Willi*, the present indicative of the verb *willam*, is also used where volition is implied; but in no case simply as expressive of futurity.

From this short notice of the primitive meaning of the words *shall* and *will*, as they appear in the Gothic and Anglo-Saxon languages, it is quite evident, that they respectively signify necessity, or moral obligation, and volition. We by no means concur with Horne Tooke in thinking, that the primitive meaning of a word is indelible, and can never be essentially changed by usage, however strong or general; it being manifestly preposterous to suppose, that custom cannot alter what custom alone had established. But we are not aware of any instance in which the change has been so unaccountable and inconsistent as in the case of these unhappy words,—especially as they were long naturalized in the language before this most capricious use of them was introduced. If we look back, for instance, to Wickliffe's New Testament, which was translated in the year 1380, we shall find *shall* generally used, where, in our later version, we have *will*, as may be seen by comparing the following and other passages:—

Wickliffe.

And Jesus answered and said to them, and I *shall* ask you one word.

And the lord of the vineyard said, what shall I do? I *shall* send my derworth son: peradventure when they see him, they *schulm* (shall) dread.

Jesus answered and said to them, Undo this temple, and in three days I *shall* raise it.

And he *shall* shew to you a great supping place arrayed, and there make you ready to us.

And, if he shall dwell still knocking; I say to you, though he *shall* not rise and give to him, for that, that he is his friend, nevertheless for his continual asking, he *shall* rise and give to him, as many as he hath need to: and I say to you, ask ye, and it shall be given to you; seek ye, and ye shall find; knock ye, and it shall be opened to you. There-

Common Version.

And he answered and said to them, I *will* also ask you one thing.

Then said the Lord of the Vineyard, what shall I do? I *will* send my beloved son: it may be, they *will* reverence him.

Jesus answered and said to them, destroy this temple, and in three days I *will* raise it up.

And he *will* shew you a large upper-room, furnished and prepared; there make ready for us.

I say to you, though he *will* not rise to give him, because he is his friend, yet because of his importunity, he *will* rise and give him as many as he needeth. And I say to you, ask and it shall be given to you; seek, and ye shall find; knock, and it shall be opened to you. If a son shall ask bread of any of you who is a father, *will* he give him a

fore, who of you asketh his father bread, where he *shall* give him a stone? or, if he asketh fish, whether he *shall* give him a serpent for the fish? or, if he ask an egg, whether he *shall* reach him a scorpion?

stone? or if he ask a fish, *will* he for a fish, give him a serpent? or if he shall ask an egg, *will* he offer him a scorpion?

These examples are sufficient to prove, that in the age of Wickliffe, the future was uniformly expressed by the auxiliary *shall*, even where no necessity, duty, or command, was implied. If we now pass on to the sermons of Bishop Latimer, which were preached about the middle of the 16th century, nearly 200 years after Wickliffe, we find the words used in the following manner:—'If it were contravened then, *will* ye think it *shall* not be 'contravened now.' 'But, before I enter further into this mat-'ter, I *shall* desire you to pray.' 'First of all, as touching my 'first sermon, I *will* run it over cursorily.' 'And *will* you know 'where the town is; I *will* not tell you directly.' 'It *shall* be 'blown abroad to our holy father of Rome's ears.' 'You *shall* 'not find in Scripture, what he saw or what he did there.' In all those passages, there is no appearance of the present mode of using *shall* and *will*, but rather the contrary. So with Ascham, Spenser, Hooker, Bacon, and other classical writers of the latter end of the 16th century. Ascham writes thus:—'As 'I *will* fully declare in fitter place.' 'The scholar *shall* win 'nothing by paraphrases.' 'The master, in teaching it, *shall* ra-'ther encrease his own labour.' 'I trust this my writing *shall* 'give some good student occasion to take some pieces in hand.' And Spencer: 'There is none so bad, but *shall* find some to 'favour his doings.' 'But, since you please, I *will*, out of that 'infinite number, reckon but some that are most capital.' 'I 'will then, according to your advisement, begin to declare the 'evils.' Hooker writes thus: 'And when they are in it, they 'shall be perfecter than they now are.' 'That which apper-'taineth to the one now, the other *shall* attain to in the end.' 'No, I *will* not be afraid to say unto a Pope or Cardinal, in this 'plight.' And Bacon: 'Wherefore, we *will* conclude.' From these, and the examples we have already quoted from the authorized version of the Scriptures, and indeed from many other passages of the same date, we think it is evident, that the primitive and etymological meanings of these two words were not adhered to,—that *shall* was not used to express simple futurity, but that the two auxiliaries were applied as often in what would now be termed the manner of the Scotch, as in that sense, which the modern English regard as the only accurate one.

Such was the case at the commencement of the 17th century:

how soon afterwards the existing usage was adopted we cannot accurately determine; but in the 'Grammatica Linguæ Anglicanæ,' published by Dr John Wallis, the celebrated Savilian Professor of Geometry at Oxford, in 1653, we find the following passages, which plainly indicate that the respective meanings of *shall* and *will* were then fixed; and that the proper application of each was a great stumbling-block to foreigners in their acquisition of the English. We translate those passages, the rather as they point out, in a very concise and perspicuous manner, the peculiar meaning of each auxiliary, according to the person in which it is used. '*Shall* and *will* indicate the future, as 'it *shall* burn, it *will* burn.' 'But as it is extremely difficult for 'foreigners to know when the former or the latter ought to be 'used, (for we do not promiscuously say, *shall* and *will*,) and as 'I am not acquainted with any former rules for their applica'tion, I have deemed it proper to subjoin the following; who'ever observes them, will commit no blunders on this point:— 'In the first person, singular and plural—*shall* simply fore'tells: *will*, as it were, promises or threatens. But in the second 'and third persons, singular and plural, *shall* is the language of 'promise or threatening: *will*, simply of foretelling.' Now, nothing can show better than this very rule the departure both from etymological propriety and consistency, with which we have charged the modern usage. The etymological meaning of *shall* implies duty or obligation; and this it retains in the second and third persons; but it loses it in the first person, where it simply and exclusively indicates futurity, or merely predicts. The etymological meaning of *will*, again, is lost when it merely indicates futurity, in the second and third persons, but is regained, with somewhat additional force, in the first person, when it commonly signifies not merely volition, but determination. The truth is, that the English language is destitute of a mode of expressing simple futurity, either by termination, or auxiliary verbs—such as is expressed, in the former manner, by those European languages, which are more immediately derived from the Latin,—and, in the latter manner, by those of a purer Teutonic origin than ours. Thus the Germans confine their auxiliary verb *wollan*, to the expression of inclination, desire, wish, &c; and *sollan*, to the expression of sincerity, duty; and they use the auxiliary verb, *wordan*, when simple futurity is to be expressed.

We shall now say something of the lights which this great compilation throws upon the condition, habits, and manners of our Scottish ancestors. It will easily be believed, that these were not very comfortable or refined. But the recent improve-

ments have been so great, that few who had not inquired minutely into the matter, could believe that the state of the peasantry, not more than sixty years ago, was so very rude and miserable, as this Dictionary of Dr Jamieson's enables and authorises us to describe it. A cold climate, and a mountainous and barren soil, for a long time confined the agriculture of Scotland to a very rude, limited scale, totally incompatible with the enjoyment of much comfort, or abundance and various food, by the peasantry. *Corn*, a word, which in English, and other northern languages, signifies grain in general, was, over all Scotland, the appellation of *oats* exclusively,—a sufficient proof of the kind of grain to which its agriculture was confined. That this, accordingly, was the main food of the people, is further indicated by the numerous preparations of oat-meal, each designated by its appropriate name, which are noted and described in Dr Jamieson's Dictionary; nearly all those preparations, as well as those of milk, &c., were extremely simple, requiring little trouble or expense, and seasoned or varied to the taste by few extraneous ingredients. Yet this agriculture, rude as it was, and limited in most districts to oats, bear, (or big,) pease, &c., was obliged to be watched and guarded, on account of the backward, unsettled, and ungenial climate, by the fostering and protecting power of the legislature. Of this, two curious proofs occur in this Dictionary. Under the article *Ait-seed*, an act of James VI. 1587, is quoted by our author. 'That the Session and College of Justice shall 'begin, upon the first day of November yearly, and shall sit 'while the first day of March next thereafter; and that the hail 'month of March shall *be vacancy* for the *ait-seed*.' Again, under the head of Beer-seed, the same act is quoted. 'Thereafter, 'the Session to begin, and sit the hail month of April, and at 'the end thereof to rise, and *vacance to be for the beir-seed* during 'the month of May.' We may fairly conclude from those provisions of the Scotch Parliament, that oats and barley were the grains then almost exclusively cultivated, and certainly chiefly depended upon.

Another article in our author's Dictionary affords additional proof of the necessary care of the legislature to guard against any hinderance or delay in the harvest operations, in a climate so backward and broken as that of Scotland. We quote the whole article, as affording a good specimen of the extent and variety of illustration which Dr Jamieson throws on every topic that falls within the range of his Dictionary.

'FERYALE, FERIALE, FERIALL, FERIELL, *adj.* The same with *Feriat*, denoting that which is consecrated to acts of religion, or at least guarded by a protection against legal prosecution.

"*Feriel* days at mattingis [matins] mess, ewinsang," &c. Aberd. Reg. Cent. 16.

"The Lordis—decrettis—that the said halyeis wrangwisly & vnorderly procedit in the seruing of the said breif [of inquest] becauss thai gert it be serwit in hervist, quhilk is *feriale* tyme & forbiddin of the law." Act. Dom. Conc. A. 1478, p. 16.

'Lat. *ferial-is*, id., synon. with *feriat-us*.

'This humane ordinance, securing an immunity from legal prosecution during *harvest*, as much as if every day of it had been devoted to religion, had been borrowed by our ancestors from the jurisprudence of the continent. L. B. *Feriae Messivae* denotes the same thing; Vacationes autumnales. In the laws of the Visigoths, the *Feriae Messivae* continued from the 15th of the kalends of August to the same date in September, and the *Feriae Vindemiales*, or the vacation for the vintage, lasted a month also from the 15th of the kalends of October. This protection was not extended, however, to those guilty of crimes which deserved death. V. Lindenbrog. Leg. Wisigoth. l. 2. tit. 11. p. 18.

'This custom also prevailed in France. Hence *la Mession*, "the vacation during vintage;" Cotgr. *Induces* mestives; Consuet. Turon. art. 56. Also in Spain; as the *Feriae Messivae et Vindemiales* are mentioned in the decrees of the council of Toledo. V. Du Cange, *Feriae Messivae*.'

We rather wonder our author did not take the opportunity afforded by this article, of tracing the usual vacation time, in the Schools in Scotland, to a similar origin. The principal and longest vacation is in the harvest months; and there can be no doubt that this period was fixed upon, in order that all might assist in the operations, as well as participate in the cheerfulness and festivities of that most important and joyful employment.

Among the most honourable of the peculiarities of our ancient Scottish tenures, was that which bestowed extraordinary privileges on the families of the old occupants of the ground, under the name of kindly tenants. Dr Jamieson has thus explained this primitive usage in Scotland:—

'KYNDLIE ROWME, or POSSESSION, the land held in lease by a *Kindly Tenant*. V. KYNDLIE TENNENTS.

'KINDLIE, *s.* A man is said to have a *kindlie* to a farm, or possession, which his ancestors have held, and which he has himself long tenanted, S. O.

'Sixty or seventy years ago, if one took a farm over the head of another who was said to have a *kindlie* to it, it was reckoned as unjust as if he had been the real proprietor.

'KYNDLIE TENNENTS, a designation given to those tenants whose ancestors have long resided on the same lands, S.

"Some people think that the easy leases granted by the kirk-men to the *kindly tennants*, (*i. e* such as possessed their rooms for an undetermined space of time, provided they still paid the rents,) is the reason that

the kirk-lands throughout the kingdom were generally the best grounds." Keith's Hist. p. 521, N.'

But though the tenants, by enjoying a kind of hereditary hold of their farms, might be regarded as very favourably dealt with, yet, in many respects, their treatment indicated a much greater inferiority to their landlords, than in these days would be submitted to in the principal agricultural districts of Scotland. The change to which we more particularly allude, however, has not existed for half a century: within less than that period, a number of services and petty payments, exceedingly troublesome, vexatious, and degrading, as well as inconvenient, were regularly inserted in the leases, and as regularly enforced, even in the Lothians, and consequently within a short distance of the metropolis of Scotland. Of these, the appropriate designations and the purport are given by our author. To bring the landlord's coals from the colliery—to breed up puppies of various descriptions for him, and to supply his table with a certain number of *cane* hens, &c., at such periods, and in such numbers, as he should require, were some of those inconvenient and degrading stipulations. The explanatory addition, given by Dr Jamieson in his Supplement, is more correct than the article in the Dictionary itself.

'CANE, KAIN, *s.* a duty paid, &c.] *Add;*

'This term is not to be understood, as denoting tribute in general. A literary friend remarks, that it is confined to the smaller articles, with which a tenant or vassal is bound annually to supply his lord for the use of his table. He objects to the example of *cane aites*, given by Skene; observing that money, oats, wheat, or barley, stipulated to be paid for land, is never denominated *kain*, but only fowls, eggs, butter, cheese, pigs, and other articles of a similar kind, which are added to the rent. Thus David I., in a charter to the church of Glasgow, grants, "Deo et ecclesie Sancti Kentigerni de Glasgu, in perpetuam elemosinam, totam decimam meam de meo *Chan*, in animalibus et porcis de Stragriva, &c. nisi tunc quando ego ipse illuc venero perendinens et ibidem meum *Chan* comedens." Chartular. Vet. Glasg. But the term seems properly to denote all the rude produce of the soil, payable to a landlord, as contradistinguished from money; although now more commonly applied to smaller articles.'

We have already mentioned that *oats*, as they were the chief produce of the Scotch soil, so, in one preparation or another, they constituted the most common and regular farinaceous food of the inhabitants. Of this latter fact, the numerous terms found in this Dictionary to designate the preparations of this grain, afford abundant evidence; whereas, we believe, there is scarcely one Scottish term in it to express any preparation of wheat, or

wheaten flour. Proverbial expressions not unfrequently paint the manners and habits of a nation more vividly and accurately than any statement of facts or general description can do. The following quotation from our author points out the frugal and temperate Scot; and, in illustration of what we have said, may be contrasted with the proverbial invitation of the better feeding English, 'Will you come and take your mutton with me?'

'KAIL, used metonymically for the whole dinner; as constituting, among our temperate ancestors, the principal part, S.

'Hence, in giving a friendly invitation to dinner, it is common to say, "Will you come, and tak your *kail* wi' me?" This, as a learned friend observes, resembles the French invitation, Voulez vous venir manger la *soupe* chez moi?

"But hear ye, neighbour,—if ye want to hear onything about lang or short sheep, I will be back here to my *kail* against ane o'clock." Tales of my Landlord, p. 31.'

Even among farmers little animal food was used; and it was always cooked in that manner, which, with the loss of its savouriness, would render it most thrifty and lasting: hence, we believe, and not, as has been supposed, from an imitation of the French, broths of all kinds were, till very lately, the chief dish, for which all kinds of meats were reserved. Roast meat was seldom seen; and is even now rare, compared with its use among the same class in England. Less than half a century ago, a *mart* was regularly bought or fattened, by the most respectable farmers, and even by many citizens; this was a cow or ox killed and salted at Martinmas for winter provision; a custom which, though not uncommon in England, perhaps 100 years ago, has certainly not been followed, except, perhaps, in remote and sequestered districts, or by very old-fashioned farmers, within that period.

In looking over Dr Jamieson's Dictionary and Supplement for the articles that describe the food of the Scotch, we were a good deal struck with the article *slake;* as exhibiting a very striking, though by no means a singular, proof of the power of fashion, or taste, to convert that which a rude and poor people are compelled to substitute for a luxury they cannot obtain, into an article of food, to be purchased only in the daintiest and dearest provision shops in London, and seen only at the tables of the richer and more delicate epicures. *Slake,* Dr Jamieson informs us, is a kind of reddish sea weed,—Nor. Laver—which, forming a jelly when boiled, is eaten, by some of the poor people in Angus, with bread, instead of butter. And in the Life and Remains of Dr Clarke we learn, that slake or sloke, a kind of sea weed, (Laver,) is used in St Kilda, with the fulmar, (a species of Pe-

trell,) to make a kind of broth, which constitutes the first and principal meal of the inhabitants.

Even among the rudest and poorest of the inhabitants of Scotland, however, at a period when their daily meal must have been always scanty, and frequently precarious, one luxury seems to have established itself, which has unaccountably found its way into every part of the world. We mean tobacco. The inhabitants of Scotland, and especially of the Highlands, are notorious for their fondness for snuff; and many were the rude contrivances by which they formerly reduced the tobacco into powder. Dr Jamieson in his original Dictionary, under the article *Mill*, observes,

'MILL. S. The vulgar name for a snuff-box, one especially of a cylindrical form, or resembling an inverted cone; also *snuff-mill*, *sneeshin-mill*. S.

'No other name was formerly in use. The reason assigned for this designation is, that when tobacco was introduced into this country, those who wished to have snuff were wont to toast the leaves before the fire, and then bruise them with a bit of wood in the box; which was therefore called a *mill*, from the snuff being *ground* in it.'

This, however, is not quite correct: we have learned that a snuff-mill was a machine like a nutmeg-grater, formerly in use in different parts of Scotland, which made snuff as often as a pinch was required. We have reason to think also, that the Quern was used in the Hebrides not only to grind oatmeal, but also to manufacture snuff on a larger scale, from the leaves of the tobacco.

We now proceed to notice some miscellaneous articles, and to point out a few additions and corrections: still keeping in mind those articles principally that relate to one or other of the topics on which we have already dwelt.

Under the article *Almous*, a curious fact in relation to begging is noticed. So late as the reign of James VI. licenses were granted, by the several *Universities*, to some poor students to go through the country begging, in the same manner as the poor scholars belonging to the church of Rome do, to this day, in Ireland. Among the dissipated, idle, and strange beggars, against whom so many of our old statutes are directed, are reckoned all vagabond scholars of the Universities of St Andrews, Glasgow, and Aberdeen, not licensed by the Rector, and Dean of Faculty, of the Universities, 'to ask almous.' Act James VI. 1574. The influence of the superstitions and customs established by the Church of Rome, may be traced in a great proportion of the words and phrases noticed by Dr Jamieson: one curious example we subjoin—

'DABBIES, *s. pl. Haly*, also pronounced *Helly Dabbies*. 1. The designation still given, in Galloway, to the bread used in the Sacrament of the Lord's Supper. This is not baked in the form of a loaf, but in cakes such as are generally called *Shortbread*.

'2. The vulgar name still given in Edinburgh to a species of cake baked with butter, otherwise called *Petticoat-tails*; in Dundee, *Holy Doupies*.

'They have obviously been denominated *Dabbies*, as being punctured, from the v. *to Dab*; and *Haly*, *Helly*, or holy, as being consecrated to a religious use. *Helly* is the pronunciation of the term in Dumfries-shire. This kind of bread, it is supposed, had been preferred to that in the form of a loaf, in imitation of the unleavened cakes used by the Jews in the Passover, and of course in the first celebration of the Supper. The learned Bingham, however, contends that, in the first ages of Christianity, leavened bread was commonly used in the Supper; and shows, that it was not till the eleventh century that unleavened bread was introduced in the Roman ritual. Antiq. Christ. Church, B. xv. c. 2.

'Du Cange refers to some kind of bread resembling this, when quoting from the Monasticon Anglicanum, Tom. i. p. 498. Molendarium septem panes de conventu, et septem panes de *Pricked-Bread*. Vo. *Panis*.'

The Church of Rome, in the height of its power, was extremely scrupulous in all that related to the sacramental bread. According to Stevens, in his Monasticon, they first chose the wheat, grain by grain, and washed it very carefully. Being put into a bag, appointed only for that use, a servant, known to be a just man, carried it to the mill, worked the grindstones, covering them with curtains above and below; and having put on himself an albe, covered his face with a veil, nothing but his eyes appearing. The same precaution was used with the meal. It was not baked till it had been well washed; and the warden of the church, if he were either priest or deacon, finished the work, being assisted by two other religious men, who were in the same orders, and by a lay brother, particularly appointed for that business. These four monks, when matins were ended, washed their faces and hands. The three first of them did put on albes; one of them washed the meal with pure clean water, and the other two baked the hosts in the iron moulds. So great was the veneration and respect, say their historians, the monks of Cluni paid to the Eucharist! Even at this day, in the country, the baker who prepares the sacramental wafer, must be appointed and authorized to do it by the Catholic Bishop of the district, as appears by the advertisement inserted in that curious book, published annually, 'The Catholic Laity's Directory.'

The following is curious and interesting:—

'ARVAL, ARVIL-SUPPER, *s.* The name given to the supper or entertainment after a funeral, in the western parts of Roxb.

'*Arvill*, a funeral. *Arvill-Supper*, a feast made at funerals, North. Grose. "In the North this [the funeral] feast is called an *arval* or *arvil-sup-*

per; and the leaves that are sometimes distributed among the poor, *arvil-bread.*" Douce's Illustrations, ii. 203.

'The learned writer conjectures that *arval* is derived from some lost Teut. term that indicated a funeral pile, on which the body was burned in times of Paganism; as Isl. *aerill* signifies the inside of an oven. But *arval* is undoubtedly the same with Su. G. *arfoel*, silicernium, convivium funebre, atque ubi cernibatur hæreditas, celebratum; Ihre, vo. *Arf.* p. 106. It has evidently originated from the circumstance of this entertainment being given by one who entered on the possession of an inheritance; from *arf*, hereditas, and *oel*, convivium, primarily the designation of the beverage which we call *ale.*

'The term *arval* may have been left in the North of E. by the Danes (who write it *arfw-oel*). For although A. S. *yrf* denotes an inheritance, I see no vestige of the composite word in this language. Isl. *erf.* is synon. with *earval;* Parentalia; *ad drekkia erfi*, convivando parentare defunctis; G. Andr. p. 15, 16.

'Wormius gives a particular account of the *Arffueoel*, "a solemn feast, which kings and nobles celebrated in honour of a deceased parent, when they succeeded to the kingdom or inheritance. For," he adds, "it was not permitted to any one to succeed to the deceased, unless he first received the nobles and his friends to a feast of this description. One thing principally attended to on this occasion, was that, in honour of the defunct, the heir taking the lead, vast bowls were drunk, and his successor bound himself by a vow to perform some memorable achievement." Monum. Danic. p. 36, 37.'

This little article also is remarkable:—

'BEUER, BEVER, *s.* A beaver.

"Besyde Lochnes—ar mony matrikis, *beuers*, quhitredis, and toddis." Bellend. Descr. ch. 8.

'This refers to what is said by Boece. Ad haec martirillae, fouinae,—*fibri*, lutraeque incomparabili numero.

'I take notice of this word, because it seems to afford a proof that this animal once existed in Scotland. Sibbald says, "Boethius dicit fibrum seu castorem in Scotia reperiri; an nunc reperietur, nescio." Prodrom. P. ii. lib. 3. p. 10

'The Gael. name, it is said by a learned friend, is *los lydan*, which signifies *broad tail; los* denoting a tail, and *leathan* broad.

'C. B. *afangc* signifies a beaver, written by Lhuyd *avangk, adhangk.* It is also denominated *lhostlydan.* Ir. *davaran loisleathain.*

"Beavers," says Pennant, "were formerly found in Great Britain; but the breed has been extirpated many years ago. The latest account we have of them is in Giraldus Cambrensis, who travelled through Wales in 1188. He gives a brief history of their manners; and adds, that in his time they were found only in the river Teivi. Two or three lakes in that principality still bear the name *Llyn yr afangc*, or the beaver lake.—We imagine they must have been very scarce even in earlier times; for by the laws of *Hoel dda*, the price of a beaver's skin (*croen llostlydan*) was fixed at one hundred and twenty pence, a great sum in those days." Brit. Zool. i. 70.

'That the testimony of Boece is, in this instance, worthy of credit, appears from this circumstance, that a head of this animal has lately been dug up from a peat moss in Berwickshire; and is now in the Museum of the Society of the Antiquaries of Scotland.

'There is also part of the skeleton of a beaver, which was presented by the late Dr Farquharson, from the Loch of Marlies in Perthshire.'

With reference to licensed beggars, we may remark, that Dr Jamieson, neither in his Dictionary nor in the Supplement, offers any conjecture respecting the origin or cause of the *bedesmen*, who are privileged to beg, receiving a *blue* gown, whence they take the name commonly given to them. Pliny informs us, that *blue* was the colour in which the Gauls clothed their slaves; and blue coats, for many ages, were the liveries of servants, apprentices, and even of younger brothers, as it is now of the Blue Coat Boys, and of other Blue Schools in the country. Strumpets also used to do penance in blue gowns. Hence the proverb in Ray, 'He is in his better blue clothes,' applied to a person of low degree, when dressed very fine.

As connected with this subject, and in illustration of what Dr Jamieson states, in the Dictionary itself, under the article 'To bid,—to pray for,' we may remark, that the term 'bidding' is applied to the long prayer for the souls of benefactors, used in Catholic chapels, immediately before the sermon. A prayer of *thanks* for deceased benefactors is still used in our universities and inns of court, on the same occasion.

The Buck-basket of Falstaff has puzzled the commentators; Dr Jamieson explains it. *Bouk* is the Scotch word for a lye used to steep foul linen in, before it is washed in water; the buck-basket, therefore, is the basket employed to carry clothes, after they have been bouked, to the washing place. Brawn, a preparation of swine's flesh, for which Shrewsbury and Canterbury are famous, has not been traced to its origin, by any lexicographer that we know of. In our author's Supplement we find it. *Brawn*, a male swine; synonymous with E. Boar. Roxb. 'Brawn, a boar, Cumb.' Grose.

Although Dr Jamieson's work is most particularly and directly instructive on the subject of the resemblances between the language, manners, &c. of the lowland Scotch, and those of the Gothic nations of the continent, yet it also contains many curious and important points of strong resemblance in those respects, between the Highland Celts, and the Celtic inhabitants of Ireland; we extract the article 'Dalt,' as an illustration of this, and also in order to subjoin a passage from Holinshed, which shows the similarity between those Celtic races, and throws additional light on the word Dalt.

'DALT, *s.* The designation given, in the Hebrides, to a foster-child.

"There still remains in the islands, though it is passing fast away, the custom of fosterage. A laird, a man of wealth and eminence, sends his child, either male or female, to a tacksman or tenant to be fostered. It is not always his own tenant, but some distant friend, that obtains this honour: for an honour such a trust is very reasonably thought. The terms of fosterage seem to vary in different islands. In Mull, the father sends with his child a certain number of cows, to which the same number is added by the fosterer. The father appropriates a proportionable extent of ground, without rent, for their pasturage. If every cow brings a calf, half belongs to the fosterer, and half to the child; but if there be only one calf between two cows, it is the child's; and when the child returns to the parents, it is accompanied with all the cows given, both by the father and by the fosterer, with half of the increase of the stock by propagation. These beasts are considered as a portion, and called *Macalive* cattle, &c.

"Children continue with the fosterer perhaps six years; and cannot, where this is the practice, be considered as burdensome. The fosterer, if he gives four cows, receives likewise four, and has, while the child continues with him, grass for eight without rent, with half the calves, and all the milk, for which he pays only four cows, when he dismisses his *dalt*, for that is the name for a fostered child." Johnson's Journey, Works, viii. 374, 375. V. MACALIVE.

'Shaw gives Gael. *daltan* as used in the same sense; and also renders *daltach* "betrothed." V. DAWTIE.

'I am inclined to think that this term, like many others used in the Western islands, may have had a Norwegian origin. Isl. *daelt*, signifies one's domestic property; Domesticum familiarie proprium. Hence the proverbial phrase, *Daelt er heima huort;* Quod tibi domesticum et tibi magis commodum; *Domus propria, domus optima.* Havamaal, apud Verel. Ind.

'This corresponds to our Prov.; "Hame's ay couthy, although it be never sa hamely." *At thakia daelt vid annan at eiga;* Commodum sibi habere, in aliquem agere. G. Andr. p. 44.

'*Daelt* is properly the neuter of *dael*, felix, commodus (G. Andr.), mansuetus. We may add *daella*, indulgentia, Verel.

'It may be viewed as a confirmation of this idea, that the practice of giving out their children to be fostered was common among the northern nations. V. Ihre, also Eddae Gloss. vo. *Fostra.* Hence perhaps the Gael. term *dailtin*, a jackanapes, puppy, as the *dalt* would be in great danger of being spoiled, and of course of assuming airs of superiority.'

Holinshed, speaking of the Irish, observes: 'Greedy of praise 'they be, and fearful of dishonour; and to this end they esteem 'their poets, who write Irish learnedly, and pen their sonnets 'heroical, for the which they are bountifully rewarded; if not, 'they send out libels in dispraise, whereof the lords and gentle-'men stand in great awe. They love tenderly their foster chil-'dren, and bequeath to them a child's fortune, whereby they 'nourish sure friendship,—so beneficent every way, that com-

'monly 500 cows and better are given in reward to win a noble-'man's child to foster; they love and trust their foster children 'more than their own. Proud they are of long crisped bushes 'of hair, which they term *libs*. They observe divers degrees, ac-'cording to which each man is regarded. The basest sort among 'them are little young wasps, called *daltins*: these are lacqueys, 'and are serviceable to the grooms, or horseboys, who are a de-'gree above the daltins. The third degree is the *kaerne*, which 'is an ordinary soldier, using for weapon his sword and target, 'and sometimes his piece, being commonly so good marksmen, 'as they will come within a score of a great cartele. The fourth 'degree is a *gallowglass*, using a kind of poll-ax for his weapon, 'strong, robust men, chiefly feeding on beef, pork, and butter. 'The fifth degree is to be a horseman, which is the chiefest, next 'to the lord and captain. These horsemen, when they have no 'stay of their own, gad and range from house to house, and ne-'ver dismount till they ride into the hall, and as far as the ta-'bles.' Under the words Galloglach and Kern, in Dr Jamieson's Supplement, the reader will remark the similarity of the Highland names and customs with those thus described by Holinshed.

We do not observe that our author, either in his Dictionary or Supplement, under the head, '*Deasoil*, motion according to the 'course of the sun,' notices the observance of that practice, accompanied with other curious customs, at marriages, except in a quotation from Pennant, 'that the bride is conducted to her fu-'ture spouse, in the course of the sun.' The minister of Logierait, in Perthshire, in his statistical account of that parish, supplies us with the following curious information on this and other marriage ceremonies. 'Immediately before the celebration of 'the marriage ceremony, every knot about the bride and bride-'groom (garters, shoe-strings, strings of petticoats, &c.) is careful-'ly loosed. After leaving the church, the whole company walk 'round it, keeping the church walls always upon the right hand; 'the bridegroom, however, first retires one way, with some young 'men, to tie the knots that were loosened about him, while the 'young married woman, in the same manner, retires somewhere 'else to adjust the disorder of her dress.'

Fairntosh. Dr Jamieson is very short and unsatisfactory on this word; which, in our recollection, designated a kind of whisky, then unrivalled for its purity and fine flavour. We give, from official documents, the origin of this appellation; both because it may be interesting to whisky drinkers, and because the account contains some curious particulars regarding the former mode of rewarding loyalty, and one branch of the reve-

nue of Scotland, in the present day the most important and productive.

It appears, from these official documents, that long previous to 1690, there had been a distillery of aqua vitæ, or whisky, on the lands of Fairntosh, belonging to Mr Forbes of Culloden. At the time of the Revolution, these lands and the brewery were laid waste by the adherents of James II. in consequence of Mr Forbes's steady and active attachment to King William. The damages sustained were estimated at upwards of L.3500. In order to indemnify Mr Forbes, the Scottish Parliament, in 1690, farmed to him and his heirs, the yearly excise of the lands of Fairntosh, for payment of the sum of 400 merks Scots, or L.22, 4s. 5⅓d. sterling, per annum, being their proportion of L.40,000 sterling, the whole excise of Scotland at that time, as paid into the Exchequer. In 1695, in consequence of additional duties being imposed on excisable liquors, a proportional addition was then rated and paid on these lands.

This mode of indemnifying loyalty was soon abused; for, in 1703, the gentlemen whose lands lay contiguous to Mr Forbes's estate complained, in a petition to Parliament, that he undersold and ruined his neighbours, and injured the public revenue, by distilling from much more grain than was the produce of the lands of Fairntosh; and that he must already have received an ample indemnification for his losses. The Parliament on this restricted the privilege to the growth of Mr Forbes's own lands of Fairntosh. Soon after the Union, another attempt was made to rescind the privilege; and a suit in equity was filed in the Court of Exchequer, to try the validity of his right. The Court, however, decided in his favour; on the footing of a private right, saved by the 6th article of the Union. It having been ascertained, that at this period, the English duties of excise were higher than the Scotch, a proportional sum was added to Mr Forbes's original composition; so that, in 1712–13, it amounted to L.28, 11s. 2d.; and, in consequence of other additional duties, imposed at various times, in the year 1785, it reached L.72, 18s. 11¼d.

In 1761, Fairntosh whisky was in great repute, and sold even in the remotest parts of Scotland; and the Commissioners of Excise ascertained that the abuse of the privilege was extending, so that large quantities of grain were brought in to Fairntosh from distant counties, for the purpose of distillation and sale. This induced them again to attempt to put an end to the privilege. The opinion of the King's counsel in Scotland was taken; and afterwards that of the Attorney and Solicitor-Generals (afterwards Lord Camden and Lord Chancellor Yorke.) The latter clearly

declared that Mr Forbes's right of exemption was not saved by the treaty of Union. Mr Forbes on this offered to relinquish his right for L.20,000; but nothing was done, in consequence of this claim being deemed exorbitant, as it was ascertained that the utmost produce of the estate, including the benefit of the privilege, did not, on an average of years, amount to L.750.

The entered distillers—a body of men who, about 1784, from the magnitude of their operations, and the importance of the duties they paid, began to take that hold on the financial minister of the country, which, every year since, has become more firm and commanding—complained that the greater part of these Fairntosh spirits were carried to the remote parts of the country—and very large quantities sent even into England—particularly to London, where a public warehouse for the sale of them had been opened: and that although such spirits were of equal or superior quality, they were sold at a lower price than the entered distiller could afford to sell his spirits for. At last the case was brought before a special jury, in the Court of Exchequer, at Edinburgh, on the 29th of November, 1785, when a verdict was returned, finding Mr Forbes entitled to a compensation amounting to L.21,580. This was accordingly paid him, by a warrant from the Treasury, out of the revenues of Excise in Scotland.

'Herschip: The act of plundering.' In this sense the word is used in a very rare and curious work, which Dr Jamieson does not appear to have seen—judging from its not being inserted in his list of books quoted. The title and contents are given below. *

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* Ane compendious and breve tractate, concerning the office and dewtie of kyngis, spirituall pastoris, and temporal jugis, compylit be William Lauder, for the faithfull instructioun of kynges and prencis.

(Here follows a wood-cut of a king, or governor.)

Diligite justiciam, qui judicatis terram.

TO THE REDAR,

The Contentis of this Buke.

And first, containing the diffinitioun of ane kyng, and of his office.

Secundle, Declarying of what difference is thair before God, betwixt the kyng and his vassall.

And qwhat sall becum to kyngis, that contynewis in iniquitie, and neglectis thair offices.

Schewing, siclyke, ane general instructioun to kyngis, how they sall alsweill inhereit the hevin, as the erth.

Mr Thorpe, the bookseller, in whose catalogue the only copy known to exist appeared, marked it at L.35, that is, above L.3 a-leaf, as the whole work consists only of eleven leaves. Of the author nothing is known; but, considering the period in which he lived, he writes most openly and courageously on the duties of Kings, and what shall come to them that viciously reign, neglecting their affairs. The word *herschip* occurs in the following passage on this last topic:—

'Followis quhat sall becum to kyngis, that vitiouslie ryngis, necleotand thare offices.

'O! kyngis, I mak you traist and sure,
Give ye neclect your prencilie cure, Proverbs, iv.
And becum avaritious,
Parciall, cruell, or covatus,
With sum dispensand for * pure pakkis, Sap. vi.
That they may † brek your prencelie actis,

And how kyngis suld elect thare spirituall pastoris, and temporall jugis.

And how the spirituall pastoris and temporall jugis sulde have them in thare officis.

Qwhat sall becum of kyngis that electis unqualifyit officiaris?

And last of all, unto qwhose actionis in speciall suld kyngis give rathest actendence.

Compylit be William Lauder; for the erudition of all Catholyke Christian Kyngis and Prencis; to whom he wyssis grace, mercy, and peace, in Jesu Christ, our Lord. So be it.

At the end of the book,

FINIS.

And imprentit in the yeir of God, Ane M.D.LVI.

* *Pakkis*, not in Dr Jamieson, *intimacy*.

† *Brek*, *noise abroad*; this word not in Dr Jamieson. The following also, which occur in this curious work, are not in Dr Jamieson: *weyil*, considered; cause *ministrat* be, cause to be administered. No geir sulde *do* the *faltour by*, stand by, or in favour of the faltour; let the culprit escape.

'Your fals glosing of the wrang
Sall nocht mak you to *rax* here lang.'

This sense, to *continue*, is not given by Dr Jamieson; 'all and od,' all and every one.

'And now, geve that ye wald be *leird*,
To bruke and to enjoy the eird.'

Leird, taught. Bruke is given in the Supplement, but only with one authority, and that the acts of the Lords of the Council.

'For they tak neither thocht nor care,
But *reuth*, for to oppresse the pure.'

Raisand gret derth, exherbitant
Aganis your actis of parliament,
Oppressand your communytie,
And bringand thame to povertie,
To hoonger, *herscheip*, and rewyne,
Puttand the pure in poynt to tyne,
And selland se the common weill
Of them that are your leigis leill;
Sufferand sic wrang for to be done,
That Kyng that sitts a kyngis abune, Sap. vi.
Quha heiris and seis all that is wrocht,
And knawis every hartis thought,

Reuth seems here to mean pleasure. Is it from the Anglo-Saxon *rott*, joy? or the German, *ruhm*, glory? or should it be, 'nor *ruth*,' pity?

The following passage is a favourable specimen of the true poetry into which the ardent and conscientious zeal of Lauder not unfrequently carried him.

'Followes the Election of the Spirituall Pastores.

'O, kyngis, quhen that ye go to chuse
Your pastours that suld preching use,
Ye suld not chuse thaim for yair blude,
Nor for thare ryches, nor thare gude,
Nor for thare pleasand parsonage,
Nor for thare strength, nor vassalage;
Ye suld nocht chuse unto that cure
Ane viuolent nor * wod gesture,
Nor sleprie hird, nor errogant, * 1 Tim. iii.
Bot prudent, wyse, and vigelant;
No pastor gewin to feid the flesch;
All sic ye sulde from yow depesche;
None wantons of wardlie glore,
None to heape ryches upe in store,
None hazardous at cards nor dyce,
Nor gevin to foule nor fylthie vyce.
'Ye suld not chuse thame cause ye lufe thame,
Nor for no favour suld promove them,
To that most gret and wechty cure,
Except ye understude most sure
Thame apt and † gauand for the yok, 1 Tim. iii.
For to instruct the christian flok,
And with exempyll of thare lyfe
To edefye man, maid, and wyffe.'

* *Wod*, mad, crazy.
† *Gauand*, fit.

Sall nocht onlye heir you torment
With grevous plaige and ponyschement,
Bot sall, quhen ye may nocht amend,
Plaige you with pain that hes no end.
'Your names they sall be scrapit oute,
Furth of the buke of lyfe but doute,
And your successioun they sall be
Eradicat from your ryngs trewlie,
And gevin to uncouth natioun
To joyne your habitatioun.'

Under the article 'to preis,' Dr Jamieson remarks, 'This has been explained to attempt; but it seems to claim a stronger sense —to exert oneself strenuously.' This is undoubtedly true; and in this strong sense it is frequently used by Lauder:

'Thocht to defend you, ye wald preis.'
'Preis never, O princes, in your cure
No way for to oppress the pure.'

And still more decidedly, in the following admirable passage:

'Preis ever to win your liegis hartes,
Rather than conqueis gold in cartis;
Have ye thare hartis, I say expresse,
Than all is yours, that thay possesse,
Than need you nocht, no tyme, nor seasone,
Be it for falset, or for treasone.'

One more quotation: Lauder is doubtful whether a good king will have a higher place in heaven than a good poor man; and then adds—

'Bot I knaw, and they boith discend Sap. vi.
Tyll hell, quhaire thare is paine but end,
As God forbid that ony do
That ever he put life in to,
Give that thare ony places be
More creuell than uthers in degre,
Thare sall it be the kyngis dwellyng,
With gretyng, raryng, and with yellyng;
Because the kyng had in his handis
The rewle of hunders and thousandis,
Quhome that he sufferit in his dayis
To *tyne and perysche mony wayis,
And the vile catyve, naikit and pure,
Had of hymself bot only cure.'

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* *Tyne*, be lost.

But we must now draw to a close,—though there are yet abundant materials both curious and instructive—with a few short extracts and observations, and the notice of some words omitted.

'To KITTLE, *v. a.* 1. To tickle, S.] *Add;*

'This word occurs in a curious passage in our old laws, from the Book of Scone.

"Gif it happin that ony man be passand in the King's gait or passage, drivand befoir him twa sheip festnit and knit togidder, be chance ane horse, havand ane sair back, is lying in the said gait, and ane of the sheip passes be the ane side of the horse, and the uther sheip be the uther side, swa that the band quhairwith they are bund tuich or *kittle* his sair bak, and he thairby movit dois arise, and caryis the said scheip with him here and thair, until at last he cumis and enteris in ane miln havand ane fire, without ane keipar, and skatteris the fire, quairby the miln, horse, sheep, and all, is brunt; *Quaeretur*, Quha sall pay the skaith? *Respondetur*, The awner of the horse sall pay the sheip, because his horse sould not have been lying in the King's hie streit, or commoun passage; and the millar sall pay for the miln, and the horse, and for all uther damage and skaith, because he left ane fire in the miln, without ane keipar." Balfour's Pract. p. 509, 510.'

Landsmark Day, the day on which the marches (boundaries) are rode. Dr Jamieson remarks that this custom is observed in London: it is, we believe, common over all the kingdom; and, in cases of any dispute respecting the rights claimed by a parish, it is regularly the practice to block up that path which leads through the disputed district. Thus, in Chelsea parish, the road before the Hospital is shut up on Landsmark day, in consequence of the parish claiming a right to it; and the Governors of the Hospital denying the justice of the claim.

'NEID-FYRE, NEEDFIRE, *s.* 1. The fire produced by the friction of two pieces of wood, S.] *Add*, after definition;

'The following extract contains so distinct and interesting an account of this very ancient superstition, as used in Caithness, that my readers, I am persuaded, would scarcely forgive me did I attempt to abridge it.

"In those days, [1788] when the stock of any considerable farmer was seized with the murrain, he would send for one of the charm-doctors to superintend the raising of a *needfire*. It was done by friction, thus; upon any small island, where the stream of a river or burn ran on each side, a circular booth was erected, of stone and turf, as it could be had, in which a semicircular or highland couple of birch, or other hard wood, was set; and, in short, a roof closed on it. A straight pole was set up in the centre of this building, the upper end fixed by a wooden pin to the top of the couple, and the lower end in an oblong *trink* in the earth or floor; and lastly, another pole was set across horizontally, having both ends tapered, one end of which was supported in a hole in the side of the perpendicular pole, and the other end in a similar hole in the couple leg. The horizontal stick was called the auger, having four short arms or levers fixed

in an centre, to work it by; the building having been thus finished, as many men as could be collected in the vicinity, (being divested of all kinds of metal in their clothes, &c.) would set to work with the said anger, two after two, constantly turning it round by the arms or levers, and others occasionally driving wedges of wood or stone behind the lower end of the upright pole, so as to press it the more on the end of the anger: by this constant friction and pressure, the ends of the anger would take fire, from which a fire would be instantly kindled, and thus the *needfire* would be accomplished. The fire in the farmer's house, &c. was immediately quenched with water, a fire kindled from this *needfire*, both in the farm-house and offices, and the cattle brought to feel the smoke of this new and sacred fire, which preserved them from the murrain. So much for superstition.—It is handed down by tradition, that the ancient Druids superintended a similar ceremony of raising a sacred fire, annually, on the first day of May. That day is still, both in the Gaelic and Irish dialects, called *Lá-beal-tin*, *i. e.* the day of Baal's fire, or the fire dedicated to Baal, or the Sun." Agr. Surv. Caithn. p. 200, 201.'

'PIPPEN, *s.* A doll, a baby, a puppet, for children to play with.

"Ane creill with some bulyettis—and *pippenis*.—Ane coffer quhairin is contenit certane pictouris of wemen called *pipennis*, [female babies,] being in nomber fourtene, meikle and litle; fyftene vardingaill for thame; aynsene gownis, kirtillis, and vaskenis for thame; ane packet of sairkis, sleevis, and hois for thame, their pantonis [slippers]; ane packet with ane furnist bed; ane uther packett of litle cosmittis and trifillis of bittis of crisp and utheris; tua dussane and ane half of masking visouris." Inventoris, A. 1578, p. 238.

'This curious passage gives the contents of part of the royal treasury, when an inventory was made during the regency of Morton, who caused a strict account to be taken of all the property belonging to the crown, resolved to check rapacity in every one but himself. These puppets were most probably meant for the use of our young Solomon, James VI.

'Ital. *pupina*, Fr. *paupee*, a puppet; *poupon*, a baby; *popin*, neat, spruce; Teut. *poppen*, ludicra puerilia, imagunculæ, quæ infantibus puerisque ad lusum præbentur; Kilian.'

'Pixie, a spirit which has the attributes of the fairies.'

In a volume of Mr Coleridge's earliest poems, published in 1797, are songs of the Pixies; with this preliminary notice of them: 'The Pixies, in the superstition of Devonshire, are a 'race of beings invisibly small, and harmless or friendly to 'man. At a small distance from a village in that county—'half-way up a wood-covered hill, is an excavation, called the 'Pixies' parlour: the roots of old trees form its ceiling.'

'POOR-MAN-OF-MUTTON, a term applied to the remains of a shoulder of mutton, which, after it has done its regular duty as a roast at dinner, makes its appearance as a broiled bone at supper, or upon the next day, S.

"I was bred a plain man at my father's frugal table, and I should like

well, would my wife and family permit me, to return to my sowens and my *poor-man-of-mutton*." Bride of Lammermoor, ii. 101.

'The friend, to whom I am indebted for the explanation of this term, has favoured me with so amusing an illustration of it, that I cannot withhold it from my readers.

"The late Earl of B., popularly known by the name of *Old Rag*, being indisposed in a hotel in London, the landlord came to enumerate the good things he had in his larder, to prevail on his guest to eat something. The Earl at length, starting suddenly from his couch, and throwing back a tartan night-gown which had covered his singularly grim and ghastly face, replied to his host's courtesy; 'Landlord, I think I *could* eat a morsel of a *poor man*.' Boniface, surprised alike at the extreme ugliness of Lord B.'s countenance, and the nature of the proposal, retreated from the room, and tumbled down stairs precipitately; having no doubt that this barbaric chief, when at home, was in the habit of eating a joint of a tenant or vassal when his appetite was dainty."'

The article *Polonie* is curious—the learned author making it out, we think, very clearly, that though generally supposed to be derived from Poland, it is truly a corruption of the *Phalang* of Giraldus Cambrensis, and originally a derivative of the Latin *Palla*.

'Saltar, a maker of salt.' Dr Jamieson ought, we think, to have stated, that salters, as well as colliers, were in a state of bondage in Scotland, till they were put on a level with other workmen by 39. Geo. III. in the year 1799. Mr G. Chalmers, in his Caledonia, insists, in the teeth of this glaring fact, that bondage ceased to exist in the beginning of the seventeenth century. In the Museum of the Society of Antiquaries in Edinburgh, is a brass collar, with this inscription—'Alexander 'Stewart found guilty of death, for theft at Perth, the 5th of 'December, 1701, and gifted by the justiciaries, as a perpe-'tual servant to Sir Jo. Areskin of Alva.'

'To snick, to cut with a sudden stroke of a sharp instru-'ment.' Tuagh snaighte is the name given in Ireland to a kind of chip axes which have been found in the bogs there. Some have handles, and loops for tapering them off readily, in order to be ground: they have also been found in Normandy.

'STEILL MIRROUR, a looking-glass made of steel.

"Item, ane *steill mirrour* set in silver within ane graye caise of velvott." Inventories, A. 1542, p. 63.

'This shows that metallic mirrors were used in Scotland so late as the reign of James V. Indeed, A. 1578, mention is made of "ane fair *steill glass*," as part of the royal furniture; also of "ane uther les [less or smaller], schawing mony faces in the visie." Ibid. p. 237.

'The latter must undoubtedly have been a multiplying mirror.'

'Tae, the toe, A.S. Isl. *ta*, Dan. *taa*, Su.Goth. *taa* (pron. *to*)

id.' Tracing words of any particular language to similar words in other languages of exactly the same meaning, is instructive, so far as the affinities of languages are concerned: but in no other point of view; whereas, if we are able to trace the present meaning of a word to a meaning less abstract, we go back nearer to the source of all languages. Horne Tooke has proved that all prepositions involve some positive and peculiar meaning: that *from* is derived from a word, signifying *beginning;* and *to*, from a word signifying *end*. That *to*, the preposition, and *toe*, are the same word, we have no doubt: but we are not certain whether we ought to regard the *toe*, as so called, because it is as it were the end or termination of the human body; or the meaning of end or termination as affixed to the word *to*, from that being the name of this member.

The article *Tartan* is very learned and elaborate. The word is clearly not Celtic, but French—*Tiretaine*, in that language, signifying a mixed or variegated fabric of flax and woollen. The Celtic word is *Breacan*, signifying broken—from which, rather than from a garment to which modern Celts have a singular repugnance, Dr J. conceives that the Celtic portion of Gaul, was termed *Gallia braccata*.

The following refers to a singular superstition:—

'UNSPOKEN WATER, water from under a bridge, over which the living pass and the dead are carried, brought in the dawn or twilight to the house of a sick person, without the bearer's speaking, either in going or returning. Aberd.

'The modes of application are various. Sometimes the invalid takes three draughts of it before anything is spoken; sometimes it is thrown over the house, the vessel in which it was contained being thrown after it. The superstitious believe this to be one of the most powerful charms that can be employed for restoring a sick person to health.

'The purifying virtue attributed to water, by almost all nations, is so well known as to require no illustration. Some special virtue has still been ascribed to silence in the use of charms, exorcisms, &c. I recollect being assured by an intelligent person in Angus, that a Popish priest in that part of the country, who was supposed to possess great power in curing those who were deranged, and in exorcising demoniacs, would, if called to see a patient, on no account utter a single word on his way, or after arriving at the house, till he had by himself gone through all his appropriate forms in order to effect a cure. Whether this practice might be founded on our Lord's injunction to the Seventy, expressive of the diligence he required, Luke x. 4, "Salute no man by the way," or borrowed from heathen superstition, it is impossible to ascertain. We certainly know that the Romans viewed silence as of the utmost importance in their sacred rites. Hence the phrase of Virgil,—

"Fida silentia sacris."

And the language of Ovid—

"Ore tacent populi tunc, cum venit aurea pompa:
Ipsa sacerdotes subsequiturque suas."

Amor. Lib. iii. Eleg. 13.

'*Favere sacris, favere linguis,* and *pascere linguam,* were forms of speech appropriated to their sacred rites, by which they enjoined silence, that the act of worship might not be disturbed by the slightest noise or murmur. Hence also they honoured Harpocrates as the god of silence; and Numa instituted the worship of a goddess under the name of *Tacita.* V. Stuck. Sacr. Gentil. p. 121.'

The following words are omitted, both in the Dictionary and the Supplement,—Black-berry, for *Black currant.* Maggs, in the sense of money paid *by* the farmer to his carters, when they go for coals. Oversight, *Superintendence:* it is used by Dr M'Crie in this sense, in a passage of his Life of Knox; the reference to which we have mislaid: though we recollect that it relates to Episcopacy: and were it not that the reverend Doctor is too single-minded to convey a sarcasm under an equivocal expression, we should have suspected, that by the use of this word, he meant, at once, to have pointed out the duty of Bishops, and their too general neglect of it. *Setterdays' Slopp:* this was a prohibition, during the times of Catholicism, of fishing, from the Sabbath after vespers, till Monday after sunrise. It afterwards came to signify the obligation of leaving a slap, or opening, in mill-dams, for the passage of fish during the same period. *Factory,* in the sense of the particular estate, or part of it, of which the factor has the management. Adois, *deeds.*

The following words are used in England in the same sense as in Scotland. *Bunyon:* this is a *soft* substance, generally on the great toe, in which are small corns: the Scotch name for it is Virroch, which Dr Jamieson gives in his Dictionary, though with an inaccurate description. *Gy,* a flying or directing rope. To *take the ground.* A *Buss,* a kind of ship—a word well known to English seamen. To *hain,* or preserve grass from being cut: used in Somersetshire. *Cannell-Coal,* used in Lancashire. *Cutty,* in the sense of *small:* Somerset. *Dandie, dandie-peats* was a small coin made by Henry VII.: it signifies also *little folks. Dauer,* to knock down: to fall down, Somerset. To *dibble,* certainly English. *Edge,* in composition, as 'Caverton-edge:' Blackstone-edge, the ridge of the hill between Yorkshire and Lancashire. '*Jannock,* an oaten loaf:' this is not only a Lancashire but a Northumberland term; where, however, it is more commonly written averjannock. '*Gate.* 1. a road. 2. a street, S. Yorks.' From Stangate ferry, by Lambeth to Fishers' Gate on the Sussex coast, the word *gate* is added to the names of nearly all the places through

which the Roman road passes. In some places, *street* is added. One of the hundreds of Sussex is called *street*. The two words, *gate* and *street*, seem indeed to have been indiscriminately used by the Anglo-Saxons, to denote the Roman military ways. '*Land-slip*, a quantity of land, which slips from a declivity;' used in exactly this sense in the Isle of Wight. '*Timmer*, of or belonging to wood;' used in Somersetshire. '*Whitefeather*, denoting cowardice:' a well-known phrase among the *fancy* in London. '*Yoke*, the natural greasiness of wool.' In Surrey and several other counties.

If we had been reviewing any other work than a Dictionary, we should have deemed it necessary to have apologized to our readers, for the slight connexion, and the miscellaneous nature, of the topics touched upon in this rambling article. A Dictionary, however, such as this before us—not only of words, their origin, affinities, and various meanings, but also of everything connected with the mode and condition of life,—the manners—customs—superstitions, &c. of a people who have always possessed a strongly marked character—seemed not only to admit, but to require, such an article as we now lay before our readers. In any other mode of reviewing it, we could not have done justice to Dr Jamieson's book: nor carried along with us—as we trust we now do—the opinion of our readers in its favour,—and the wish, that he may be induced to put its contents into a more popular and accessible form.

No. XCV. will be published in September.

LIST OF NEW PUBLICATIONS,

From November to April.

*** *It will be obliging in those, who wish the title of their Publications to be inserted in this List, to address their notice to the Publishers, and not to the Editor, in whose hands they are sometimes unavoidably mislaid.*

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THE ENCYCLOPÆDIA METROPOLITANA when completed will not exceed Twenty-five Volumes, and will consist of four main divisions. The First, which, for the sake of distinction, may be called the Philosophical Part, comprising the pure and abstract sciences, will be contained in two volumes; and the Second, the Scientific Part, under which head the mixed and applied sciences are arranged, will be completed in six volumes. In this part of the work, the subject of manufacture, as connected with the arts and sciences, will form an article by itself. By classifying the principal inventions that have been contrived for the abridgement of human labour, and arranging them according to their practical uses, or to the scientific principles on which they depend, it is presumed, that the study of this important and multifarious branch of human knowledge will be greatly facilitated. It is proposed to collect into one general article all subjects connected with practical mechanics; and, therefore, in the alphabetical division of the work several mechanical articles of great practical importance have been for the present passed over. The readers, however, may rest assured that no subject of this kind will be either omitted or slightly noticed; each will find its place in the treatise on the application of machinery to the arts and manufactures of Great Britain, which it is trusted will present a complete view of modern machinery, and of its various applications.

In Great Britain the useful arts have been pursued to an extent far beyond any example in ancient or modern nations; many millions of capital have been expended in the most costly and valuable machinery, and a mechanical force has been created which almost surpasses calculation. In the steam-engine alone, a substitute has been found for the labour of nearly a million and a half of men; and it has been estimated that our cotton machinery, in the spinning division of it only, will produce more cotton thread than could have been made, before the invention of cotton mills, by all the population of Europe; and similar improvements, although perhaps in a less degree, have taken place in almost every species of manufacture in the kingdom.

It follows, therefore, that a very large portion of the population is, in one way or another, interested in the progress of mechanical invention; and to such, an article like that to which we beg to draw the attention of the public, cannot fail to possess extraordinary interest.

We are fully aware of the magnitude of the undertaking:—a complete scientific knowledge of the fundamental principles of machinery,—a happy talent for describing in the simplest manner the most complicated pieces of mechanism,—and the art of delineating and exhibiting the several parts, motions, and effects, according to the strict rules of design,—are acquisitions not easily found blended in the same individual; nor indeed is this union necessary, where the requisite previous understanding subsists between the parties who are to sustain the principal characters in such a work. Our plan, as to the execution, is already laid; and we doubt not of accomplishing our object, great as it may appear, to the satisfaction of our Subscribers. The article will consist of the following divisions:

Preliminary chapters.—On the general principles of machinery.—On the methods of representing the parts and actions of machines.—A description of the elementary parts of machines, those by which motion is communicated or modified; as also of cocks, valves, pistons, &c.—On the art of making machinery; comprising the methods of working in brass, iron, and steel.—Of prime movers, men, animals, wind, water.—Of steam, and the steam-engine.

This will be followed by a description of all the most important machines, engines, and manufactories in Great Britain.*

The Third division of the work, which will occupy eight volumes, is appropriated to History and Biography. These subjects, though arranged under different heads, are nevertheless placed under the same general division, as they form, in fact, only different parts of one subject; and in order to preserve their mutual dependence and subserviency, a variety of chronological charts will be attached to this portion of the work, by consulting which, it is intended that the reader shall always be able to fill up the

* In order to complete the above article, particularly the latter division of it, in a manner adequate to our wishes and hopes, we beg to solicit the liberal assistance of the scientific Proprietors and Directors of our principal public works and manufactories in every part of the kingdom; from whom communications, describing any new and important machine or valuable improvement, will be thankfully received by the Editor, and introduced into the treatise with such acknowledgments as the circumstances may require.

historical outlines, by all the contemporary biography belonging to any particular period. And the same facilities will be afforded by similar means, to those who may wish to study the history of the arts and sciences, or of any particular department in literature or learning. By turning to the respective charts, the reader will be enabled to acquaint himself with the history of the various individuals who have severally distinguished themselves in the chronological order of the times in which they lived. Particular care will be taken, in this part of the work, to assist the student, by pointing out, on all occasions, those writings in any branch of knowledge which may be consulted with most advantage. And with this especial view, it is proposed, that the Biography, whether it be of divines, or naturalists, or mathematicians, or of men celebrated in any other learned pursuit, shall, in each case, be written by those to whom the particular subjects have been respectively committed, in the general arrangement of the work.

The concluding, or Miscellaneous Part, occupying eight volumes, besides being referential and supplementary to the preceding volumes, and containing a complete Geographical Dictionary, will also exhibit a feature entirely new in our literature. We are now alluding to a Philosophical and Etymological Thesaurus of the English language. This LEXICON will unite in itself the two branches of ETYMOLOGY and ILLUSTRATION, which hitherto have always been disjoined. Each word will first be diligently traced to its sources in other languages, and its various applications in our own will be copiously and chronologically elucidated by citations from writers of *all* dates. In preceding Dictionaries, (and the remark will apply not less to the great work of JOHNSON than to every other,) either the Etymological branch has been carelessly dismissed, or the illustrative quotations have been confined to a very limited range of authors. In the LEXICON which is offered in the ENCYCLOPÆDIA METROPOLITANA, every acknowledged authority will be sedulously consulted for the derivation of words, and our literature, from its earliest dawn till our own times, be ransacked to supply examples of their various usages. The volume of Index, which will obviously afford unusual facility of reference, will complete this division. This Index of Reference will preclude the necessity of perpetual repetition of the same matter in different forms; and will classify words according to their legitimate association with each other, instead of permitting them to find places solely according to the accident of their initial letter.

It will readily be seen, that the first two divisions of a work thus arranged, grow naturally out of each other; the needful references are, therefore, generally retrospective and rarely made to future volumes. In the Biographical department, the same truths and principles will be repeated and illustrated, which had been previously enlarged upon in the other divisions of the work; while in the Miscellaneous portion, every subject will be found in its alphabetical place, that had not been more fully explained in some other part of the work; in which last case, by turning to the Index, the exact page and volume, in which the necessary information is contained, will be at once pointed out. Each Part is separately paged, so that when completed, the work may be bound according to its several divisions.

THE PLAN OF THE WORK.

Portions Published to May 1, 1828.

FIRST DIVISION.

PURE SCIENCES. — 2 VOLS.	FORMAL.	Universal Grammar		Universal Grammar.
		Logic :—Rhetoric		Logic, Rhetoric.
		Mathematics		Geometry, Arithmetic, Algebra, Geometrical Analysis, Theory of Numbers, Trigonometry, Analytical Geometry, Conic Sections, Differential and Integral Calculus.
		Metaphysics.		
	REAL.	Law :—Morals.		
		Theology.		

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		Hydrostatics		Hydrostatics.
		Pneumatics		Pneumatics.
		Optics		Optics.
		Astronomy		Astronomy.
	APPLIED.	I. EXPERIMENTAL PHILOSOPHY.	Magnetism :—Electro-Magnetism	Magnetism, Electro-Magnetism.
			Electricity, Galvanism	Electricity, Galvanism.
			Heat	Heat.
			Light	Light.
			Chemistry.	
			Sound and Acoustics.	
			Meteorology.	
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		II. THE FINE ARTS.	Poetry.	
			Painting.	
			Music.	
			Sculpture.	
			Architecture.	
		III. THE USEFUL ARTS.	Agriculture, introduced by Political Economy.	
			Commerce.	
			Manufactures	Manufactures commenced.
		IV. NATURAL HISTORY.	Introduced by Physiology in its widest sense.	
			Inanimate :—Crystallography, Geology, Mineralogy.	
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			Animate :—Zoology.	
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INDEX.—Being a digested and complete Body of Reference to the whole Work; in which the known English name, as well as the scientific name, of every subject will be found in its alphabetical place.

LONDON:

PRINTED FOR BALDWIN AND CRADOCK; C. AND J. RIVINGTON; J. DUNCAN; J. PARKER, OXFORD; AND J. AND J. DEIGHTON, CAMBRIDGE.

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LIFE ASSURANCE COMPANY,

Cornhill, and Waterloo Place.

ESTABLISHED BY ACT OF PARLIAMENT, 1807.

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THE EAGLE LIFE ASSURANCE COMPANY, established in 1807, is empowered by Act of Parliament;—the Public is secured by an ample subscribed Capital;—at the end of every Seven Years a strict investigation is made into the Funds,—the value of every existing claim determined,—its amount retained, and the surplus apportioned; FOUR-FIFTHS of the profits of these periodical divisions are then allotted to the Assured, and may, at their option, either be added to the Policy, or applied in reduction of the future Annual Payments. A person insuring with this Society may, therefore, justly expect a gradual annihilation of his Annual Premium; and after he has, by early prudence, secured a provision for his family, the income thus employed will revert to him to employ in farther investment, or to increase the comforts of his advanced age.

The principles of Life Assurance are now too broadly diffused, and its benefits too universally acknowledged, to require any general explanation in this place; the Directors, therefore, confine themselves only to those particular points of the system in which they stand alone in their claims upon Public attention:—

DISTINCT TABLES FOR FEMALE LIFE.

The general belief in the superior value of Female Life which has long obtained, having been fully demonstrated by the important Tables published in 1826, by order of the House of Commons, the country became entitled to the benefit of its experience; and, accordingly, the Directors ordered new Rates to be calculated, which should distinguish at every age the price of Insurance for the two sexes. This investigation justified some reductions,—not indiscriminate, or induced only by the dangerous spirit of competition, but derived from better and from more authentic observations,—and enabled them to insure not only the younger Male Lives, but the Female Life at all ages, at Premiums below the ordinary standard: its results are now respectfully submitted to the Nation.

A TABLE, shewing the Payments required to assure £100 ON THE DEATH OF A MALE.

AGE next Birth-day.	If within One Year, not renewable.	If within Seven Years, Ann. Payment renewable for 7 Years only.	WHENEVER IT MAY HAPPEN.			
			Payable Annually for 5 years only.	Payable Annually for 10 years only.	Payable for the Whole of Life.	
					Quarterly.	Half Yearly.	Yearly.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
10	0 13 4	0 13 9	8 3 6	4 9 0	0 8 3	0 16 5	1 12 7
11	0 13 5	0 14 7	8 5 6	4 10 8	0 8 6	0 16 10	1 13 5
12	0 13 7	0 15 6	8 8 6	4 12 6	0 8 9	0 17 4	1 14 4
13	0 13 10	0 16 6	8 12 6	4 14 6	0 9 0	0 17 10	1 15 4
14	0 14 8	0 17 7	8 17 6	4 16 9	0 9 4	0 18 5	1 16 5
15	0 15 7	0 18 11	9 1 6	4 19 0	0 9 7	0 19 0	1 17 6
16	0 16 7	1 0 3	9 4 6	5 1 4	0 9 10	0 19 7	1 18 8
17	0 17 9	1 1 9	9 7 6	5 3 8	0 10 2	1 0 2	1 19 9
18	0 19 2	1 3 3	9 10 3	5 5 9	0 10 4	1 0 7	2 0 9
19	1 0 6	1 4 9	9 12 9	5 7 7	0 10 7	1 1 0	2 1 8
20	1 2 1	1 6 3	9 15 3	5 9 2	0 10 10	1 1 6	2 2 6
21	1 3 7	1 7 6	9 17 6	5 10 4	0 11 0	1 1 11	2 3 4
22	1 5 1	1 8 6	9 19 9	5 11 6	0 11 2	1 2 2	2 3 10
23	1 6 7	1 9 3	10 2 0	5 12 3	0 11 4	1 2 5	2 4 4
24	1 7 10	1 9 10	10 4 3	5 13 0	0 11 6	1 2 9	2 4 10
25	1 8 10	1 10 3	10 6 3	5 13 10	0 11 8	1 3 1	2 5 6
26	1 9 6	1 10 7	10 8 6	5 14 8	0 11 10	1 3 5	2 6 2
27	1 10 0	1 10 11	10 10 9	5 15 9	0 12 0	1 3 9	2 7 0
28	1 10 3	1 11 4	10 13 0	5 17 0	0 12 2	1 4 2	2 7 10
29	1 10 6	1 11 9	10 15 3	5 18 5	0 12 5	1 4 8	2 8 10
30	1 10 9	1 12 2	10 17 6	5 19 10	0 12 8	1 5 3	2 9 10
31	1 11 2	1 12 7	11 0 0	6 1 4	0 13 0	1 5 10	2 10 11
32	1 11 7	1 13 0	11 2 9	6 2 11	0 13 4	1 6 5	2 12 0
33	1 12 0	1 13 6	11 5 6	6 4 8	0 13 8	1 7 0	2 13 3
34	1 12 4	1 14 0	11 8 6	6 6 5	0 14 0	1 7 8	2 14 7
35	1 12 9	1 14 6	11 11 9	6 8 3	0 14 4	1 8 4	2 16 0
36	1 13 2	1 15 1	11 15 3	6 10 3	0 14 8	1 9 1	2 17 6
37	1 13 8	1 15 7	11 19 0	6 12 4	0 15 1	1 9 11	2 19 1
38	1 14 3	1 16 2	12 2 10	6 14 5	0 15 6	1 10 10	3 0 9
39	1 14 10	1 16 9	12 6 9	6 16 6	0 16 0	1 11 9	3 2 6
40	1 15 4	1 17 4	12 10 9	6 18 7	0 16 6	1 12 8	3 4 4
41	1 15 10	1 17 11	12 14 9	7 0 8	0 17 0	1 13 7	3 6 3
42	1 16 5	1 18 6	12 18 9	7 3 0	0 17 6	1 14 8	3 8 4
43	1 17 0	1 19 1	13 3 0	7 5 7	0 18 0	1 15 10	3 10 8
44	1 17 7	1 19 10	13 7 6	7 8 2	0 18 7	1 17 0	3 13 0
45	1 18 2	2 0 9	13 12 0	7 11 0	0 19 2	1 18 3	3 15 8
46	1 18 9	2 1 9	13 16 6	7 14 2	1 0 0	1 19 10	3 18 6
47	1 19 6	2 3 9	14 1 6	7 17 7	1 0 10	2 1 6	4 1 7
48	2 0 5	2 6 3	14 6 9	8 1 4	1 1 9	2 3 3	4 5 0
49	2 1 5	2 9 3	14 12 9	8 5 5	1 2 8	2 5 0	4 8 7
50	2 3 5	2 12 3	14 18 9	8 9 6	1 3 8	2 6 11	4 12 4
51	2 5 11	2 15 8	15 4 9	8 13 5	1 4 9	2 9 0	4 16 4
52	2 8 11	2 19 1	15 10 9	8 17 0	1 5 10	2 11 2	5 0 5
53	2 11 11	3 2 6	15 16 9	9 1 0	1 6 11	2 13 4	5 4 8
54	2 15 6	3 5 11	16 3 3	9 5 2	1 8 0	2 15 6	5 8 11
55	2 19 0	3 9 6	16 9 9	9 9 4	1 9 2	2 17 8	5 13 0
56	3 2 8	3 13 1	16 16 3	9 13 6	1 10 5	3 0 0	5 17 10
57	3 6 2	3 16 8	17 2 9	9 17 9	1 11 8	3 2 6	6 2 10
58	3 9 10	4 0 3	17 8 9	10 2 0	1 12 11	3 5 0	6 7 10
59	3 13 5	4 3 10	17 14 3	10 6 3	1 14 3	3 7 8	6 12 7
60	3 17 1	4 7 11	17 19 3	10 10 6	1 15 9	3 10 8	6 18 2

A TABLE, shewing the Payments required to assure £100
ON THE DEATH OF A FEMALE.

AGE next Birth-day.	If within One Year, not renewable.			If within Seven Years, Ann. Payment renewable for 7 Years only.			WHENEVER IT MAY HAPPEN.								
							Payable Annually for 5 Years only.			Payable Annually for 10 Years only.			Payable for the Whole of Life.								
													Quarterly.			Half-Yearly.			Yearly.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
20	1	1	0	1	5	0	8	15	4	4	16	0	0	8	11	0	17	9	1	15	1
21	1	2	6	1	5	3	8	17	7	4	17	1	0	9	1	0	18	1	1	15	10
22	1	4	0	1	5	6	8	19	10	4	18	3	0	9	3	0	18	5	1	16	6
23	1	5	0	1	5	9	9	2	3	4	19	6	0	9	5	0	18	9	1	17	3
24	1	5	3	1	6	0	9	4	9	5	0	10	0	9	8	0	19	2	1	18	0
25	1	5	6	1	6	3	9	7	3	5	2	3	0	9	10	0	19	7	1	18	9
26	1	5	10	1	6	7	9	9	9	5	3	9	0	10	1	1	0	0	1	19	7
27	1	6	2	1	7	0	9	12	5	5	5	4	0	10	3	1	0	5	2	0	5
28	1	6	5	1	7	6	9	15	1	5	7	0	0	10	6	1	0	10	2	1	4
29	1	6	8	1	8	1	9	17	10	5	8	9	0	10	9	1	1	4	2	2	3
30	1	7	0	1	8	9	10	0	7	5	10	6	0	11	0	1	1	10	2	3	2
31	1	7	5	1	9	5	10	3	7	5	12	3	0	11	3	1	2	4	2	4	2
32	1	7	10	1	10	1	10	6	10	5	14	0	0	11	6	1	2	10	2	5	3
33	1	8	6	1	10	9	10	10	1	5	15	9	0	11	9	1	3	5	2	6	4
34	1	9	4	1	11	5	10	13	4	5	17	6	0	12	1	1	4	0	2	7	5
35	1	10	0	1	12	0	10	16	7	5	19	4	0	12	4	1	4	7	2	8	7
36	1	10	8	1	12	6	10	19	10	6	1	2	0	12	8	1	5	2	2	9	9
37	1	11	4	1	12	11	11	3	1	6	3	0	0	13	0	1	5	9	2	11	0
38	1	12	0	1	13	3	11	6	4	6	4	10	0	13	4	1	6	5	2	12	3
39	1	12	7	1	13	6	11	9	7	6	6	8	0	13	8	1	7	1	2	13	7
40	1	13	1	1	13	9	11	13	1	6	8	7	0	14	0	1	7	10	2	15	0
41	1	13	6	1	14	0	11	16	9	6	10	6	0	14	5	1	8	7	2	16	6
42	1	13	10	1	14	3	12	0	5	6	12	6	0	14	10	1	9	5	2	18	0
43	1	14	2	1	14	6	12	4	3	6	14	9	0	15	3	1	10	3	2	19	9
44	1	14	5	1	14	9	12	8	3	6	17	0	0	15	8	1	11	1	3	1	6
45	1	14	8	1	15	0	12	12	5	6	19	6	0	16	2	1	12	0	3	3	4
46	1	14	11	1	15	3	12	16	9	7	2	0	0	16	8	1	13	1	3	5	5
47	1	15	2	1	15	6	13	1	3	7	4	9	0	17	3	1	14	3	3	7	7
48	1	15	5	1	15	11	13	5	11	7	7	6	0	17	10	1	15	5	3	9	10
49	1	15	8	1	16	6	13	10	9	7	10	3	0	18	6	1	16	8	3	12	4
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52	1	16	7	2	0	0	14	6	3	7	18	9	1	0	9	2	1	2	4	1	0
53	1	17	2	2	2	6	14	11	9	8	2	0	1	1	7	2	2	10	4	4	4
54	1	18	2	2	5	6	14	17	9	8	5	6	1	2	7	2	4	8	4	7	11
55	1	19	8	2	8	6	15	4	3	8	9	3	1	3	7	2	6	7	4	11	8
56	2	1	8	2	11	6	15	10	9	8	13	3	1	4	7	2	8	8	4	15	9
57	2	4	8	2	14	6	15	17	3	8	17	6	1	5	7	2	10	11	5	0	0
58	2	8	2	2	18	0	16	3	9	9	2	0	1	6	10	2	13	3	5	4	6
59	2	11	8	3	2	6	16	10	3	9	6	9	1	8	1	2	15	3	5	9	6
60	2	15	2	3	7	0	16	17	0	9	11	9	1	9	6	2	18	4	5	14	7
61	2	18	8	3	11	6	17	3	9	9	16	9	1	10	11	3	1	3	6	0	3
62	3	2	2	3	16	6	17	10	9	10	2	0	1	12	6	3	4	5	6	6	4
63	3	6	8	4	2	6	17	18	3	10	7	6	1	14	3	3	7	9	6	12	9
64	3	11	8	4	10	6	18	6	3	10	13	3	1	16	1	3	11	5	6	19	9
65	3	16	8	4	19	6	18	14	9	10	19	3	1	18	0	3	15	3	7	7	2
66	4	2	8	5	9	6	19	3	3	11	5	9	2	0	0	3	19	4	7	15	1
67	4	10	8	5	19	6	19	12	0	11	12	9	2	2	4	4	3	9	8	3	6
68	4	19	8	6	10	6	20	1	0	12	0	0	2	4	9	4	8	5	8	12	7
69	5	9	8	7	2	6	20	10	3	12	7	6	2	7	5	4	13	7	9	2	4
70	5	19	8	7	16	0	21	0	3	12	17	0	2	10	4	4	19	2	9	13	0

Foreign Life Assurance.

There are few who have not, at some period of their lives, been called abroad; and a Policy absolutely restricting residence within the limits of Europe, must be considered an impediment rather than a protection. To obviate this,—one of the greatest evils of a still imperfect system,—Tables have been constructed for all the principal Commercial and Colonial Establishments; and in this Institution the Assured may ascertain, from the commencement of his Assurance, the rate at which he must be accepted and entitled to proceed wherever his future fortunes may call him. To all Persons connected with the Army, Navy, Commerce, or Diplomacy, this arrangement offers essential advantages; nor is it altogether useless to those who, though now resident in England, may yet, at a future time, be induced to travel by some unforeseen temptation of pleasure or profit.

Whenever correct grounds for calculation existed, on them the Premiums have been founded. In all cases they have been cautiously compared and collated. The just distinction is preserved between the native and acclimated, and those who are for the first time exposed to the contingencies of a Foreign Residence:—after the lapse of a fixed period, these latter also are accepted at the reduced rate. When the assured return to Europe, they pay only the British Premium of their Age at the commencement of the Assurance. A general Annual Premium will be named, calculated upon the dangers incidental to the Profession of the Person insured, permitting him to fulfil all the duties of his vocation in any part of the world to which he may be destined; or a special Premium, to meet a particular risk, will be determined, to commence at the departure of the party and terminate at his return. For present convenience, the rates are determined as low as the paramount duty of security permits; but the excess (if any) must be unimportant in an Office which returns, septennially, Four-fifths of its profits to the Assured, whether abroad or at home.

Form of a Proposal

TO THE EAGLE INSURANCE COMPANY.

The Name, Residence, and Profession, of the Person in whose behalf the Policy is to be.
The Name, Residence, and Profession, of the Person whose Life is proposed for Insurance.
The Place and Date of Birth.
Term of the proposed Insurance.
Amount.
The Name and Address of the ordinary Medical Attendant of the Person to be insured.
The Name and Address of a private Friend.

These particulars should be transmitted to the Actuary, who will afford all requisite information.

The Directors having thus, in their general principles, endeavoured to extend the utility and improve the practice of Life Assurance, will, in all the details of the Office, meet, as far as possible, the convenience and facilitate the business of parties assuring. The Board assembles every Tuesday and Friday, to determine on special cases.

An examining Medical Officer attends daily in Cornhill and Waterloo Place, to save the necessity of personal appearance before the Board.

When the ordinary certificates cannot be procured, the age is admitted from the commencement of the Assurance, and can never become the subject of future enquiry. —The payments may be made quarterly, half-yearly, or annually.

No charge for admission, or any fee required, under any pretence (beyond the Premium and Government Stamp). No additional sum is demanded for a voyage in a decked and sea-worthy vessel, from any one Port of the British Isles to another; nor, in time of peace, from England to any Harbour between Brest and the Texel, both inclusive.

Medical Practitioners of eminence have been appointed in all parts of the Kingdom; on whose certificates assurances may be effected.

Any further information,—the particular rates of Premium for Survivorships, Endowments, Joint Lives, and other Life Contingencies, Forms of Proposal, Declaration, Prospectus, &c.,—may be obtained by personal application at either of the Offices of the Company; or by Letter addressed to the Actuary in Cornhill.

HENRY P. SMITH, *Actuary.*

Vizetelly, Branston & Co. Engravers and Printers, 135, Fleet Street.

FOR THE

Improvement in the Manufacture of Superfine Light Beaver Hats, and Elastic Italian Silk Hats.

ROBERT FRANKS AND CO. respectfully announce to the Nobility and Gentry, they have brought their Hats to an unequalled degree of perfection in quality and lightness, and solicit the continuance of their patronage and commands.

PRICES FOR CASH.

BEAVER.	s.	SILK.	s.
Superfine.....	21	Fine.....	12
Extra Super	24	Superfine.....	14
Ditto Spanish trimmed..	26	Extra Super	16

FRANKS AND CO. are (as Manufacturers) enabled to sell at the above quoted prices, Articles that for Quality, Fashion, and Colour cannot be surpassed by any House in Europe. However great a prejudice the public may have to Houses advertising Prices, and pretences to inventions, which in too many instances are only to allure and deceive by the sale of inferior Articles, at apparently low prices, yet the numerous testimonials of a most extensive connection, established for near half a century by their family (and carried on by themselves for upwards of ten years) will, they trust, be held as sufficient satisfaction to those who may be desirous to honour them with their commands.

TO MERCHANTS AND SHIPPERS.

FRANKS AND CO. are Manufacturing for warm climates a new description of Hats, well adapted for the East and West Indies, their weight when finished complete for wear, is about Five Ounces, the brims can be made any width for Planter's Hat, or as the most modern Gentleman's Hat of the present day. Qualities and colours various.

FOLDING HATS.

Now introducing, a new description of Folding Hats which may either be used as a Dress Hat, or for usual purposes, they are so extremely light and portable that for convenience in travelling, they can be packed with Linen without the slightest injury to their shape.

BEAVER.	s.	BEAVER.	s.
Superfine Quality.....	21	Extra Superfine.....	26
Ditto Drab Beaver	21	Ditto Drab ditto	26

The above Hats, with every other kind manufactured of the present day, to be obtained Wholesale, Retail, and for Exportation, of

ROBERT FRANKS & Co.

Manufacturers and Patentees,

140, *Regent Street*,

62, *Redcross Street*, *London*.

FRANKS AND CO.

Military and Naval Hatters,

140, REGENT STREET,

LONDON.

ROBERT FRANKS and Co. have the honour to announce to Officers in the Army and Navy, they have received his MAJESTY'S ROYAL LETTERS PATENT for the improvement in the manufacture of Light Waterproof Hats, which they have applied to MILITARY SHACCOS and NAVAL REGULATION HATS, and by their process of Manufacture, they are enabled to finish Hats of superior quality at nearly two-thirds the weight usually made; for which most important improvement, they respectfully solicit that support hitherto so liberally conferred.

GRENADIER CAP.

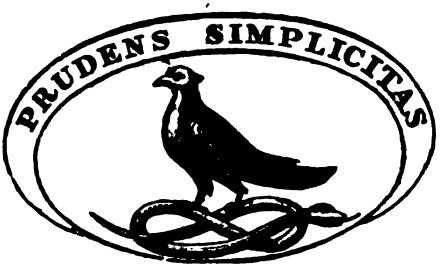
The newly-invented Grenadier Cap is most respectfully recommended to the Officers of the Guards, the weight being only *fourteen ounces*; the original weight varying from three to five pounds.

SPORTING HATS.

Varieties of Hats and Caps for Sporting, of peculiar colours, qualities and shapes. The advantages which FRANKS and Co. possess by their manufacturing their goods in London induce them to state that Gentlemen may have Hats or Caps made of any fanciful shape or colour, at six hours' notice.

ROBERT FRANKS & Co.

140, *Regent Street, London,*



AMICABLE SOCIETY,

FOR THE

Insurance of Lives,

SERJEANT's INN, FLEET STREET,

INCORPORATED BY

CHARTER OF QUEEN ANNE, 1706.

HIS MAJESTY having been graciously pleased, on the Report of the Law Officers of the Crown, further to encourage the Plan of this Society, by His ROYAL CHARTER, bearing date the 12th day of February 1823, authorizing the Extension of the Insurances therein to any number not exceeding 16,000 Persons or Shares, (the number of 8000 to which the Society was limited by the Charter of the 48th of King Geo. III. being then full)—the DIRECTORS have now to offer to the attention of the Public, TABLES of RATES, (as annexed) for the INSURANCE of LIVES, at the various Ages from Eight to Seventy-two; either for the whole of Life; for any Specific number of Years; the contingency of one Person surviving another; or for the joint continuance of the Lives of two or more Persons, the Insurance payable on the Death of either.

INSURANCES in this Office are effected in certain cases at a reduction of nearly 20 per cent. and on the whole on terms greatly favourable to the Insured.

POLICIES may be effected from £200 to £5000; and every kind of INSURANCE, however short the continuance, is entitled to a participation in the pecuniary advantages accruing to the Corporation. These advantages are wholly appropriated to the Benefit of the Insured, in proportion to the amount of each Insurance.*

TABLES may be had at the Office, where attendance is given from Nine till Three o'Clock.

By Order of the Court of Directors,

JOHN PENSAM, Registrar.

In the last year, Insurances on 255½ Shares became Claims, and are now in course of payment at £236 : 7s per Share, being on 74 Shares admitted under a guarantee of £150 per Share, £57 10s per cent.; on 4 Shares admitted under a guarantee of £160 per Share, £47 14s per cent.; on 27 Shares admitted under a guarantee of £170 per Share, £39 per cent.; on 9 Shares admitted under a guarantee of £180 per Share, £31 : 6s per cent.;

AMICABLE SOCIETY for Insurance of Lives, *Serjeant's Inn, Fleet Street;* incorporated by *Queen Anne* 1706.

TABLES of RATES Per Cent. Per Annum.

Age.	For one Year £	s.	d.	For Seven Years. £	s.	d.	For the whole Life. £	s.	d.
8 to 14	0	14	6	0	18	0	1	14	6
15	0	15	0	0	19	0	1	15	6
16	0	15	6	1	0	0	1	16	6
17	0	17	0	1	1	0	1	17	6
18	0	18	6	1	2	0	1	18	6
19	1	0	0	1	3	6	1	19	6
20	1	1	6	1	4	6	2	0	6
21	1	2	6	1	5	0	2	1	6
22	1	3	6	1	5	6	2	2	6
23	1	4	0	1	6	0	2	3	6
24	1	4	6	1	6	6	2	4	6
25	1	5	0	1	7	0	2	5	6
26	1	5	6	1	7	6	2	6	6
27	1	6	0	1	8	0	2	7	6
28	1	6	6	1	8	6	2	8	6
29	1	7	0	1	9	0	2	9	6
30	1	7	6	1	9	6	2	10	6
31	1	8	0	1	10	0	2	11	6
32	1	8	6	1	10	6	2	12	6
33	1	9	0	1	11	0	2	14	0
34	1	9	6	1	11	6	2	15	6
35	1	10	0	1	12	0	2	17	0
36	1	10	6	1	13	0	2	18	6
37	1	11	0	1	14	0	3	0	0
38	1	11	6	1	15	0	3	1	6
39	1	12	0	1	16	0	3	3	0
40	1	13	0	1	17	0	3	5	0
41	1	14	0	1	18	0	3	7	0
42	1	15	0	1	19	0	3	9	0
43	1	16	0	2	0	0	3	11	0
44	1	17	0	2	1	0	3	13	0
45	1	18	0	2	2	0	3	15	0
46	1	19	0	2	3	0	3	17	6
47	2	0	0	2	4	6	4	0	0
48	2	1	6	2	6	0	4	2	6
49	2	3	0	2	8	0	4	5	0
50	2	4	6	2	10	0	4	8	0
51	2	6	0	2	12	0	4	11	0
52	2	7	6	2	14	0	4	14	0
53	2	9	6	2	16	0	4	17	0
54	2	11	6	2	18	0	5	0	0
55	2	13	6	3	0	0	5	3	6
56	2	15	6	3	2	0	5	7	6
57	2	17	6	3	4	0	5	11	6
58	2	19	6	3	6	6	5	15	6
59	3	1	6	3	9	6	6	0	0
60	3	4	0	3	12	6	6	5	0
61	3	6	6	3	15	6	6	10	0
62	3	9	0	3	19	0	6	15	6
63	3	11	6	4	2	6	7	1	0
64	3	14	6	4	7	0	7	7	6
65	3	18	0	4	12	0	7	14	6
66	4	2	0	4	17	6	8	2	0
67	4	6	0	5	4	0	8	10	0
68	4	13	6	5	13	6	8	19	6
69	5	1	6	6	4	0	9	9	0
70	5	10	6	6	17	6	9	19	6
71	6	1	0	7	14	6	10	10	0
72	6	13	0	8	16	0	11	2	0

Shewing the ANNUAL PREMIUM *Per Cent.* payable so long as two Persons shall ... live, for insuring the *contingency of one of them surviving the other.*

Life to be Assured	Life against which the Assurance is to be made.	Annual Premium per Cent. £	s.	d.
10	against 10	1	6	6
	20	1	7	0
	30	1	6	6
	40	1	5	9
	50	1	5	0
	60	1	4	3
	70	1	3	3
	80	1	1	6
20	against 10	1	13	9
	20	1	14	3
	30	1	13	3
	40	1	12	3
	50	1	11	0
	60	1	9	9
	70	1	7	9
	80	1	5	6
30	against 10	2	2	0
	20	2	3	0
	30	2	1	6
	40	2	0	0
	50	1	18	3
	60	1	16	3
30	against 70	1	14	3
	80	1	11	3
40	against 10	2	15	3
	20	2	16	0
	30	2	14	9
	40	2	12	6
	50	2	9	6
	60	2	6	6
	70	2	3	0
	80	1	19	0
50	against 10	3	16	6
	20	3	17	6
	30	3	16	0
	40	3	13	9
	50	3	10	0
	60	3	4	0
	70	2	18	0
	80	2	11	6
60	against 10	5	11	6
	20	5	12	9
	30	5	11	0
60	against 40	5	9	0
	50	5	6	0
	60	4	18	3
	70	4	6	6
	80	3	14	6
67	against 10	7	15	0
	20	7	16	6
	30	7	14	0
	40	7	12	6
	50	7	9	6
	60	7	2	6
	70	6	6	6
	80	5	5	0
72	against 10	10	15	0
	20	10	15	6
	30	10	13	6
	40	10	11	0
	50	10	8	0
	60	10	2	6
	70	9	10	0
	80	8	0	0

Shewing the ANNUAL PREMIUM *Per Cent.* payable so long as two Persons shall both live, for insuring a Sum *to be paid on the death of either of them first dying.*

Ages.	Premium. £	s.	d.	Ages.	Premium. £	s.	d.	Ages.	Premium. £	s.	d.	Ages.	Premium. £	s.	d.	Ages.	Premium. £	s.	d.
10 & 10	2	13	0	15 & 45	4	13	9	25 & 30	4	0	0	35 & 35	4	14	0	45 & 60	8	3	0
15	2	17	0	50	5	5	3	35	4	5	0	40	5	0	0	67	10	3	6
20	3	1	0	55	6	0	0	40	4	11	9	45	5	8	0	72	13	8	0
25	3	5	0	60	6	19	6	45	5	0	6	50	5	19	0	50 & 50	7	1	6
30	3	9	0	67	9	2	0	50	5	12	0	55	6	13	0	55	7	14	0
35	3	14	6	72	12	6	6	55	6	6	6	60	7	12	0	60	8	11	9
40	4	1	9	20 & 20	3	9	6	60	7	6	0	67	9	14	0	67	10	11	6
45	4	10	6	25	3	13	0	67	9	7	0	72	12	18	6	72	13	15	6
50	5	2	0	30	3	17	0	72	12	13	0	40 & 40	5	6	6	55 & 55	8	5	6
55	5	16	6	35	4	2	6	30 & 30	4	4	0	45	5	14	3	60	9	1	3
60	6	16	3	40	4	9	6	35	4	9	0	50	6	5	0	67	11	1	0
67	8	19	6	45	4	18	0	40	4	15	6	55	6	18	6	72	14	5	6
72	12	3	6	50	5	9	6	45	5	4	0	60	7	17	0	60 & 60	9	18	0
15 & 15	3	0	6	55	6	4	0	50	5	15	3	67	9	18	6	67	11	14	0
20	3	4	6	60	7	3	6	55	6	9	6	72	13	2	6	72	14	19	0
25	3	8	6	67	9	6	0	60	7	8	9	45 & 45	6	1	6	67 & 67	13	7	6
30	3	12	9	72	12	10	0	67	9	11	3	50	6	11	9	72	16	10	0
35	3	18	0	25 & 25	3	16	0	72	12	15	6	55	7	4	9	72 & 72	18	14	0
40	4	5	0																

N. B. From the above, the reader will easily judge of the proportional Premium for any intermediate age. Insurances on other contingencies may also be effected at rates proportionate to the above.

The sum of 10s per cent. is to be paid by way of entrance money for the whole of Life: but no entrance money is required when the Insurance is for a term of years. An additional 10s per cent. *at the time of admission only*, charged when the Party does not appear.

REJOINDER

OF THE PROPRIETORS OF THE

FOREIGN QUARTERLY REVIEW

TO THE

"*REPLY OF THE FOREIGN REVIEW.*"

After the full details given in the Statement prefixed to our Second Number, (the accuracy of which is in no degree invalidated by the Reply that has been published by our opponents,) it was not our intention to have pursued this disagreeable controversy any further. But as this Reply attempts to fasten *three* heavy imputations on us,—1. of *acting with bad faith*, in availing ourselves of the ideas of the Editor of the Foreign Review in the origination of our undertaking, and in violating an agreement with him, because it was merely verbal; 2. of *stating untruths*,—in regard to the memorandum given him by our Editor,—and in not acknowledging that two other articles in No. I. were contributed by his friends, besides the four mentioned in our Statement; and 3. of *dishonesty*, in accepting and not paying for his services; and, what is worse, of leaving *him* to pay for an article for which *we* had contracted,—we are unwillingly compelled to enter into some additional details, for our own vindication.

I. In support of the first charge, of *acting with bad faith*, the author of the Reply opens it by asserting that the project, which we entertained in 1821, of establishing a Foreign Review, "was also *long since* entertained by Messrs. Black, Young and Young, and we believe by other Foreign as well as English booksellers; and, *as the house of Messrs. Treuttel and Würtz well know, by the gentleman at present editing the Foreign Review.*" On this we have merely to remark, that in 1821 the house of Messrs. Black, Young and Young only commenced; that the Editor of the Foreign Review was then, probably, at school, and that we never heard, nor do we believe, that the *same* project was entertained by them or him, or by any bookseller, English or Foreign, *until* the Foreign Quarterly Review was set on foot. He then proceeds with the following circumstantial details relative to our knowledge of his plans:—

"When they heard, from the same literary friend who drew up their original prospectus in 1821, of this gentleman's intention, *they* requested an introduction, for the purpose of preventing the two Reviews from interfering with each other. After several interviews, it was arranged (with such ill-placed confidence on his part, as to have been uncautiously left to verbal agreement) that the gentleman referred to should have a share in the management of the work; and the Review of Messrs. Treuttel and Würtz started without a rival. Thus freed from the fear of competition, it was a ready step to endeavour to

get rid of this association, and to secure greater benefit to themselves; and their present mortification, which they cannot conceal, arises from the defeat of a trick which they fancied was so clever as to be sure of success."

The Editor of the Foreign Review has certainly, as we have before suspected, "one little foible," namely, "a lively imagination, with a most happy turn for invention;" in no instance has he displayed this talent more strongly than in the little narrative we have just copied. Only see how differently the same circumstances were viewed by the writer of the following letter, a gentleman, who, with high qualities of a different kind, has the misfortune to be, in affairs of this sort, "a dull matter of fact man."

"Dear Sir,—In answer to the appeal made to me on behalf of your house, respecting a passage in a paper circulated by Messrs. Black of Tavistock Street, and entitled '*Reply of the Foreign Review*,' I feel it to be a duty which I owe to truth, and an act of justice to you, to bear testimony to the inaccuracy of one assertion in that passage.

"As the person who drew up for you some years ago the Prospectus of a Foreign Quarterly Review, and who introduced to you the gentleman reputed to be the Editor of the announced 'Foreign Review,' I can of my own knowledge positively deny that YOU '*requested an introduction*.' The fact is, that the gentleman in question had, early in the present year, given me to understand that he was then on the point of setting out for the Continent, with the intention of remaining abroad at least a year and a half, for the purpose of making connections preparatory to the establishment of a Foreign Review on his return to England. I recommended him to communicate his ideas—*plan* I cannot say, for beyond the point just stated he seemed to have arranged nothing in his own mind—before his departure, to some Foreign house, mentioning yours as the most eligible, being convinced that if it should not suit you to take any share in the work, it must be in your power materially to assist him and to promote its success. At his desire it was that I called upon you to acquaint you with his intentions,—at which time I, in common with the rest of the public, was wholly ignorant of your preparations for commencing such a work. After I had explained my errand, so far from 'requesting an introduction,' you wished rather to decline any interview, alleging that it could not be of any benefit, as you could not consent to be debarred, by the knowledge of his scheme, from carrying into execution during his purposed absence, any plans which you might entertain, or which might be submitted to you in that interval.

"Though this answer was duly reported by me, still the gentleman in question was solicitous for an interview, and, *at his express desire*, I accompanied him to your house, and introduced him to you—certainly not for the purpose 'of preventing the two Reviews from interfering with each other,' since he and I were equally ignorant of your project, and he professed to have no idea of setting about the execution of his own in less than eighteen months from that time.

"Regretting most sincerely the necessity for making this statement, and all the other unpleasant consequences which have arisen from that introduction I am, &c. &c. F. S.

"*20th December*, 1827."

We shall only add, that subsequently to the interview alluded to, we had no communication with this person, during the two or three calls he made upon us, until we put our Prospectus into his hands, and referred him to our Editor, as already mentioned.

II. As to the charge of *stating untruths*,—1. With respect to the memorandum given him by the Editor, he denies that the character there given him was *entirely provisional*. As this document was the *sole authority* on which, *with our sanction*, this person was entitled to act in the affairs of the Review, we think it better, in order to put an end to all quibble and special pleading on the subject, to give a transcript of it from the original rough copy, which remained in the Editor's possession, and was the one *shown to us* (as we have already stated) *at the time*. The names and figures are left blank.

"1. The contract with Messrs. T. and Co. for the first year being completed, admits not of alteration. This contract enables the Editor to pay ———— for such contributions as are suitable and desirable for the work,—but not to do more; neither could the Editor or Publishers at this moment enter into a fixed agreement to pay ————, or even ————, or any [sum,] to any Joint-editor, or to any particular contributor.

"2. Notwithstanding all this, should the plans which Mr. ———— has sketched out be fulfilled to the satisfaction of the Editor, the latter has no doubt that even within the year, or shortly after the publication of the first Number, a specified sum of ——— or ——— could be agreed upon as due to Mr. ————, and as an amendment to the original contract, for his services.

"3. At all events, should the circulation of the work rise to ——— or ——— copies, and should Mr. ————'s efforts have obviously tended to produce this result, the Editor in that case is most willing to bind himself to a payment of ——— per annum to Mr. ———.

"4. With regard to Mr. ———'s exertions being perhaps thrown away,—that is to say, bestowed upon the work and not sufficiently acknowledged, I should conceive this result may be guarded against. Whatever Mr. ——— may contribute from his own pen vouches for itself; and as to the contributors obtained by his exertions, and whose writings are available, this also is a point which admits of proof.

"5. Meanwhile, it is understood that on this basis Mr. ———, during the term of the Editor's residence in Scotland, should exert himself both to prepare contributions for the work, and to obtain other collaborateurs, whose communications should be forwarded, through the Publishers, to Mr. ——— for his approval. It is understood, also, that Mr. ——— is regularly to correspond with ———; and that soon after the appearance of the first Number, the question shall be decided regarding any alteration in the terms of payment, from merely ——— per sheet, to a separate salary to a Joint-editor."

This memorandum was, *as a matter of course*, and *not*, as is asserted, "*at the express desire of the Editor of the Foreign Review*," communicated to us by our own Editor, and the corrections which he made in it at our suggestion, although few, are most important, as proving beyond a doubt the *strictly provisional* nature of the engagement, and that we considered ourselves as no parties to it. These corrections were *three*: the first was in the second clause, in which the original expression—"to the satisfaction of the *publishers and* Editor," was changed "to the satisfaction of the Editor;" the second was in the third clause, where the expression "as Joint-editor," after the word "*efforts*," was expunged;* and the third was in the fourth clause, where, after the words

* This correction alone sets the whole question of his pretensions at rest; and as it appears that he was aware of these corrections, it accounts for his request to us to *countenance him as connected with the Review*.

" obtained by his exertions," the qualification " and whose writings are available," was introduced.

2. We gave him credit for having procured us *four* articles out of the *eleven*, of which the number consisted. He asserts, that beside these, the *first* and the *tenth* article " were from the pen of *his friends*." Nothing can better exhibit the miserable shifts, or the effrontery with which this Editor seeks to cover the nakedness of his own merits, than this assertion. The Editor of the Foreign Review is *no friend* of the distinguished author of the first article; *he is not even his personal acquaintance.* A short time previous to his accepting the provisional engagement from the Editor of the Foreign Quarterly, he had undertaken the editorship of one of the new Christmas Annuals; in that capacity he *chanced to be put in correspondence* with this gentleman, who, however, does not consider that circumstance as *giving him any claim upon him.** *An invitation* had certainly been made to this gentleman, on the part of the Editor, (who knows him personally,) to become a contributor to his projected Journal, *which invitation he declined, though with feelings of entire good will towards the Editor.* This, however, happened in November, 1826, when the Editor's arrangements were only in embryo, and more than three months before his contract with us was signed, or we had communicated with any contributor whatever. With respect to the article itself, whatever merit attaches to the *procuring* it must be claimed by ourselves, to the exclusion of every other person. The " Joint-editor" did, *as our agent*, offer terms to the distinguished author, which he refused; he also subsequently, *in the same capacity*, (but at his own especial request,) communicated our assent to the terms demanded. *Had these not been granted, the article would not have appeared.* That it passed through his hands was merely accidental; as the Editor was then at Edinburgh, and it was destined to form the opening article of the number, it was so transmitted solely for the sake of expedition.—When he mentioned the *tenth* article, it is but charitable to suppose that all memory and recollection had entirely left him. That article was written in consequence of our application to a Greek gentleman, well known in London, to recommend us a person conversant with, and who could write upon, the subject; it was brought to us by him from the author, and was the very first (as well as the only) article which we put into the hands of this Joint-editor for his opinion; that opinion was, that *it might do, but would require a good deal of alteration.* We thought it best to have the author's consent before-hand to such alteration, and for that purpose introduced him to the Joint-editor. *This was their first acquaintance.* Of the article, as originally written, not more than five or six pages were finally used, for which the Joint-editor received payment on account of his *new friend.*

III. The charge of *dishonesty*, which we consider involved in the assertion that we " never paid him for his trouble and his expenses out

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* These facts, which we knew at the time, have been fully confirmed to us by the recent communications of the distinguished writer himself. It will be seen, farther on, how adroitly the Joint-editor turned the circumstance of this accidental correspondence to the furtherance of his own plans of revenge, and surprised the good faith of his unsuspecting correspondent.

of pocket," and that, " on one occasion we actually left *him* to pay for an article for which *we* had contracted," compels us to bring the question of his *quantum meruit* at once before the public. It will be seen by reference to the 4th clause of the memorandum given him by the Editor, that there was no question of remuneration for any thing but contributions. For those obtained by him (and the portion of the tenth article above mentioned) the money was paid into his hands. As to himself, he had furnished an article (on an important historical work,) which unfortunately was not seen by us in MS. before it was put into the printer's hands, and was entirely in type and partly corrected by himself before we did see it; it amounted to fifty-five pages in all. The printer's charge and the cost of the book reviewed (which he retained) were considerable (between 13*l.* and 14*l.*), but after examining the article, (which was the first of his compositions we had yet seen,) we immediately directed it to be put aside, regarding the expense incurred (which he seems entirely to have forgotten) as nothing, in comparison with the risk of committing an actual *felo de se* on our enterprize at the outset by its insertion.* He wrote another short article on a work of fiction, which, after a great deal of alteration and correction by the Editor, was returned to him for farther improvement.†

Having in our former statement shown what this Joint-editor did *not* do, and in this stated his *actual* performance, it only remains for us to add, that during the four months which elapsed in the preparation of this first number, he had the most ample opportunities of proving his qualifications for the *permanent Joint-editorship* of the work, if he really possessed any; and we do not scruple to say, that no one ever exhibited more striking proofs of the want of the qualities fitting for such an office, accompanied with the most perfect self-sufficiency as to his own merits. His boasted literary connections proved equally delusive with his

* His assertion that the " right of proprietorship in rejecting contributions which they considered unfit for insertion" " was not exercised by the Proprietors at all," is as untrue, as the piece of gratuitous folly and impertinence with which it is accompanied is characteristic of the writer. He never had intercourse but with the two individuals who have managed the affairs of the house ever since its first establishment here, namely, the resident partner of the firm, and the person whom he has honoured with his vituperation, which the object of it laughs at, and despises. Owing to the absence of the former on the Continent, for more than two months out of the four during which this intercourse lasted, the responsibility rested entirely on the latter, which he felt to be the greater as it was then *undivided*. As the Editor of the Foreign Review, however, is lawyer enough to know that *Qui facit per alium facit per se*, his objection to the authority which rejected his articles is somewhat in the spirit of a condemned criminal protesting against the legality of his sentence, because it was pronounced by the judge, and not by the King himself. We must also venture to tell the learned Editor, that the tone he has assumed in the Reply is equally unbecoming his youth and station in society, and in the republic of letters. We have yet to learn that a respectable *bookseller* is not on a level with an *attorney*, however respectable; and are apt to fancy that the situation of Editor of a Christmas Annual gives its occupant (especially if he has not other laurels to boast of) no extraordinary claims to literary distinction or respect.

† The proofs of the historical article we preserve as a literary curiosity; and to show our readiness to submit the correctness of our critical judgment to public opinion, we hereby offer to lend it to the Proprietors of the Foreign Review for early insertion in their Journal, *on condition that they will print it faithfully from the original.*

own pretensions.* With the experience we had acquired of the value of his services, it is therefore not to be wondered at that we should, after the publication of the first number, have refused acceding to the different propositions which he made to us to secure his future co-operation. These propositions were—1. That we should allow him a regular salary for his services in procuring contributions; 2. That we should pay for his own article rejected, at the rate of an accepted one; 3. That we should also pay for an article by a friend of his, which we had rejected on special grounds, (quite unconnected with its literary merits,) stated to him both verbally and in writing.†

On this last point we have only further to say, that he was not empowered either by the Editor's memorandum, or by us, to *contract* for any article whatever; nor was any article in the first number contracted for except No. 1. He had, as he admits, the free use of books from us, in order to write articles, or procure them to be written; but we reserved to ourselves the right of refusing such as appeared to us unfit or unsuitable.

Having now, we hope, said enough to clear ourselves from these most unfounded imputations, we feel ourselves bound also to put the Public in possession of the circumstances attending the secession of this gentleman from our Review, (or as he calls it "the division of interest.") After our absolute refusal to entertain his propositions for attaching him permanently to the work, we should have been neither surprised nor offended at his immediately abandoning all farther connection with it. Although, however, all the reasons which he alleged in his letter of the 12th September for then doing so, at this time existed in full force, he chose to smother his mortification and resentment, breathed not a syllable of his wrongs, the personal insults offered him, &c. &c., (of which last we never heard till the letter in question,) and consented to remain attached to the Review until the end of the first year, on the same provisional footing as before.

In this state matters continued until the 22d of August, when the Editor was obliged to proceed to Edinburgh on business, reckoning upon

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* We were very anxious to engage a literary foreigner of great eminence (now naturalized among us) in the list of our contributors. Happening to mention this, in the early period of our connection, to the "Joint-editor," he immediately said that he had access to him through an intimate friend, and would apply to him for us. In a few days after, he informed us that he had seen him, and obtained his promise to write an article, for which certain books were sent to him, to be, as we understood, transmitted to the gentleman in question. A considerable time elapsed, and hearing nothing of him, we inquired the reason; we were told by the Joint-editor that he had been taken so ill as to be obliged to go into the country, and abandon for the present all literary occupation. When our first number was published, having learned this gentleman's address, we sent him a copy, with a letter, begging to know whether we might look for his contribution in time for our second number. His answer informed us that he had declined the engagement when the proposition was first made to him by the Joint-editor, on account of a previous engagement, and that that reason still subsisted. The Joint-editor had never told us this, has kept the books to this day without acknowledging them, and chose to be offended *because we wrote to his friend without his knowledge.*

† We suppose that this is the article for which he says "we left him to *pay*." *If* he did pay for it, we believe he did not remain long out of pocket; we understand it is to appear in the first number of the Foreign Review.

being ten days or a fortnight absent. From the "Joint-editor's" assurances, he was led to believe that the latter was still zealous in the cause, and would be able to submit to him, in the course of a few days after his return, *eight* or *nine excellent* or available contributions. From the experience we had gained, we took the liberty of expressing our doubts, and warned our friend to place no reliance either on the promised quantity or quality; and we took our own measures in consequence. On the 23d, the very day after the Editor's departure, the "Joint-editor" began to lay the train to that mine, the explosion of which he, in his wisdom, fancied, would "annihilate" the Foreign Quarterly. He contrived (by what it is a mild term to call a trick) to get into his possession, from the Editor's papers, the article on Fraunhofer's Discoveries, (published in No. II.) which had been *offered* to us more than a month before, through him, by the author, to whom we had signified our acceptance of it. Two days after, he wrote to the author of the first article in our No. 1, and by return of post received an answer, assenting to continue a contributor, *not to a new journal, but to the Foreign Quarterly Review, transferred to other hands!* The circumstance is so extraordinary, that we prefer giving it in the words of the excellent writer himself, in his letter to us of the 3d December last. "Some ten or twelve weeks ago," (by a subsequent reference he found it to be the 25th of August,) "Mr. ——— wrote to me, saying that *he had changed his publishers, in consequence of some disagreement*, and asking me if I would, on my own terms, *continue* my communications, and furnish a certain article for the next Number. *I did not understand that he was starting a new Journal, but that the Foreign Quarterly had past from your hands to those of Messrs. Black & Co.*, and therefore I consented without hesitation." And in a subsequent letter of the 15th Dec. he added, "I had no reason to suppose, from Mr. ——'s letter, that he and Mr. —— (the Editor of the Foreign Quarterly) had separated, or were likely to separate."* To keep up the farce a little longer, he, on the day following

* It must certainly appear singular to the great body of the public, as it did to us, that after having appeared as a leading contributor to our Review, the accomplished writer should, within a month after the publication of our First Number, have given credit to a tale so extraordinary, as that *a person who was not*, as he knew, *the originator of the undertaking*, had *transferred the publication from us to another house*, and that without any inquiry, he should have immediately acted on the belief that it was true. We certainly heard reports of his having *gone over* to the new Review; but the false reports respecting this work have been so numerous, and our confidence in the high honour and integrity of this gentleman was so great, that we utterly disbelieved them. It was not until the 20th of November last that we obtained undoubted evidence of the fact; on the 29th we sent him our Second Number, and then put the question to him, whether he considered the understanding which we had, that he would furnish us with *two papers in a year*, as still subsisting? and if he did not, to what cause we were to attribute his regarding it as at an end?

His two letters of the 3d and 15th of December, from which we have extracted the passages in the text, have explained fully the circumstances which have ranged him unwittingly among the contributors to the Foreign Review. We are bound, in justice to him, to state, that to us his explanation is perfectly satisfactory. One of the odd circumstances which we conceive led him into error was, *that he had never even seen the First Number*; the "Joint Editor" having kept back the copy that we gave him for the purpose, which he undertook to forward. Another cause which he does not advert to, but

the receipt of this letter, (August 30,) wrote to the editor, then at Edinburgh, in the warmest style of friendship, in which letter he said not a syllable to him of his new plans, but urged him to use his exertions to get him contributions in a particular quarter for his Christmas Annual. The editor returned to town on the 7th of September, two days after we had received the information that another Foreign Review was to be started, but it was not until the 12th (or 13th), as already stated, that either he or we were informed, by the joint-editor himself, of his connection with the project.

This is a true statement of the circumstances which immediately preceded the establishment of the Foreign Review. They will be admitted to exhibit such instances of breach of confidence, accompanied by gross deception, as we are quite sure rarely occur in transactions between gentlemen, where honour is the sole tie. But they are quite of a piece, and in character with the subsequent proceedings of both editor and publishers already detailed.*

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which, doubtless, mainly led to his easy belief, is what we alluded to hypothetically in our preceding Statement, "if this gentleman (the Joint-editor) during the continuance of his engagement (or whatever it may be called) with our Editor, made statements inconsistent with what is here shown to have been his actual situation, or which militated against our interests as proprietors of the Review, such conduct was a breach of faith, of which we would have just reason to complain." That such statements were made in this as well as in every other quarter, we have as little doubt as of our own existence.—*Whether, now that the whole facts are before him, the high-minded writer will continue a contributor to the Foreign Review, it is not for us to anticipate.*

Manœuvres of a similar kind were successfully played off against us in two other instances, which we discovered after the rupture. In the one, the joint-editor's friend, (the author of Art. III. in No. I.) had been applied to (through him) and agreed to write an article for No. II. on a particular subject, of our own selection, and for which we sent the books. Another gentleman, *whom we had introduced to him*, wrote an article which was sent to him, *for the Foreign Quarterly*. Both these articles he intercepted and appropriated. Our appeal to the writer of the first was answered by his informing us, that "the article had been given to Mr. ******, through whom, and for whose sake, he undertook to contribute to our Review;" at the same time politely telling us, that "if we considered his aid of consequence, he had no objection, on the terms there mentioned, to enrol himself in the list of our regular contributors." The *second* gentleman, on applying to the Editor of the Foreign Review, was told that his article had been *accepted* for the latter work, and was sent to the printer; but if he insisted on it, it should be got back, and returned to him. If that was done, however, he was given to understand, that no future article of his would ever be admitted into the Foreign Review. The writer of the article, a quiet and modest man, submitted to the arrangement, which, on his representation, we felt no inclination to disturb. It ought to be mentioned, that the author of the article on Fraunhofer, in our Second Number, did, *without our making any application to him on the subject*, and on the joint-editor's own showing, order the paper to be returned to us.

* Another contrivance of the association deserves to be noticed. After the rupture in September we wrote to the Editor of the Foreign Review to request his immediate return of the books lent to him for the purposes of the Foreign Quarterly. He went abroad without paying any attention to our request, and it was not until the beginning of December that a portion of them was returned, along with a letter from Messrs. Black and Co. requesting us *to place the others to their account*. In this ingenious manner have we, the publishers of the Foreign Quarterly Review, been made the unwitting instruments of supplying, months beforehand, materials for the getting up a rival Journal, which it was fondly hoped, would destroy its parent.

What is stated respecting the Editor's disavowal of our "*unmannerly Advertisements and Statement*" is equally true with the other statements of this Reply. The Editor of the Foreign Quarterly gave the Editor of the Foreign Review a certificate, which he thought he could not in justice refuse him (although he did not see how it could benefit his cause), *that* he had *during the period of their connection treated him in conformity to that memorandum which was the basis of it, and had sanctioned his proceedings up to the 13th of September, so far as they were known to him;* but when he delivered this, which was in the presence of two witnesses, he declared, that although he had no hand in the composition of either the Advertisements or Statement, *so far from disapproving, he entirely approved of them.*

His exulting boast respecting the *number* of his own contributors compared with the *paucity* of ours, and the cause assigned for it, most especially diverted us; if his information respecting the latter was so accurate, why did he qualify with a "we believe" the assertion that only *one* out of the original *ten* (he should have said *eleven*) contributors continued to write for us? To this we think our Second Number has already given a sufficient answer; out of fifteen contributions, there are five by writers in the first, and ten by new contributors. Does he mean to assert that the whole talent of reviewing foreign literature, art, and science, is monopolized by the *six* whom he prides himself on possessing? Let us reckon up these six, however, and see what he has to boast of. Putting aside for obvious reasons, *first*, the distinguished writer whom he has entrapped, we have, *second*, our esteemed military contributor, who is perfectly willing to draw the pen for both sides;—*third*, the author of the Article No. IV., who in a recent letter informs us, that "he has never had any communication with the editor of the Foreign Review regarding the article in question since the time he furnished him with it;"—*fourth*, the learned Doctor, distinguished Hebraist, and expounder of the Talmud, whose profound Rabbinical studies are occasionally relieved by discussions of the merits of French cookery and Champagne; *fifth*, the gentleman, the author of No. IX. of whom we have only to repeat what we said in our last statement; and *sixth* and last, but not least in the Editor's estimation, is his accomplished Swiss friend and travelling companion.* We profess great respect for all and every one of these gentlemen in their several spheres; but we trust we shall not be regarded as chargeable with wanton temerity, in continuing to prosecute our undertaking, even if we should be deprived of the aid of the "exclusives" of the Foreign Review. With respect to our own means, it will be sufficient for us to say, that with the single exception mentioned, (which has been from no fault of ours,) we have not lost a single con-

* We remark as a singularity, that in the *second* edition of this Reply, (published in the last Quarterly Review,) the whole of the paragraph eulogizing this gentleman, but denying his editorial connection with the Foreign Review, is omitted. What does this mean? There are some other variations which serve to make the *editio princeps* of this Reply a coveted prize for bibliomaniacs. This second edition also claims a *seventh* contributor (not mentioned in the first), the author of the Article No. XI. in No. I. This gentleman is still our contributor, and we have his authority for saying, *that he is not a contributor to the Foreign Review!*

tributor whom we desired to retain, and have already added, and continue to add, such names to our list, as make us perfectly at ease on the score of competition with the Foreign Review.

As the publishers of the Foreign Review, Messrs. Black, Young and Young, have not ventured to say a single word for themselves in the whole of this Reply, the inference is, either that they admit their conduct to be quite indefensible, or are so callous to the opinion of the world, that they think it unnecessary to offer any defence. They stand, therefore, in the situation of defendants "allowing judgment to go by default," and we leave them to abide the verdict of their jury.

From all the odium attached to this affair we could have wished entirely to relieve Messrs. Bossange, Barthès and Lowell, the would-be publishers of the Foreign Review, but their uncalled for and "unwarrantable" letter renders it necessary for us to do them also "an act of justice." We stated, (certainly with no unfriendly feeling to them, as they know,) that "they had disavowed, both verbally and by letter,* all *participation* in the intended work;" and we repeat that they did so. As *participation* here means no more than *sharing in common*, which they disavow, the expression was strictly correct. *Publishers* of the work, in the customary acceptation of the term, they are not, *whatever they may wish to appear;* they are nothing more than agents for its sale. As it now appears, from their late letter, that, although not proprietors, they were cognizant of the whole scheme from its commencement, (which we certainly did not know before,) we will ask them if they saw the Prospectus before it was printed off? If they admit that they did, we will tell them that, in announcing to the world that "the present publishers are *more exclusively* connected than any other persons with the houses of Germany and France," they were, independent of the *charlatanerie* of such an assertion, assenting to the publication of what they knew to be an inaccuracy. We willingly leave them and Messrs. Black and Co. all the benefit they can desire from the publication of this letter, and will take care to treat Messrs. Bossange and Co. in future as the *joint-publishers* of the Foreign Review; we only regret that we should ever have been led to treat them otherwise.

This Rejoinder has gone to much greater length than we had anticipated; but, before concluding, we cannot help directing the attention of the public to the question, whether, at the present moment, there is room for two Reviews of Foreign Literature? On this point we have the opinion, frankly stated, of the eminent author, who has been entrapped into writing for the Foreign Review: "Two journals," he says, "of this description cannot possibly be supported." We have also the following from an able journalist in the Northern Capital, given in a recent notice of our second number, "It is evident that the real wants of the public never entered into the calculation of those who projected the second Foreign Review. It originated in the squabble we have already alluded

* The *verbal* disavowal was *voluntary* and *unsolicited;* the words of their letter are as follow:—"*Nous ne sommes point propriétaires du Foreign Review*, mais nous avons un interêt, comme libraires, à ce que notre nom soit sur le titre, et à nous charger de la vente. Tout ce qui a rapport à la correspondance, ou au matériel de ce journal, nous est etranger, et doit être adressé chez MM. Black, Young, et Young."

to, and can only prosper by the ruin of its antagonist. Both cannot stand, where only one was required. Competition is certainly a good thing, because almost always immediately beneficial to the public; but, when pushed beyond a certain limit, it either destroys itself, or those who have engaged in it." Finally, we have the declaration of the originators themselves, through their veracious mouthpiece, the travelling partner, (so conspicuous in our former statement,) who made no scruple of avowing, at Edinburgh, (according to information on which we can rely,) that "there was not room for two Foreign Reviews—that *one of them* must go down." Which was to be the *one* to go down, need not be asked.—*Perhaps* all these opinions may be erroneous; *perhaps*, on the principle that supply creates demand, there may be room for two. But, while the matter remains in doubt, we hope we are not presuming too much in claiming a preference from the public; and in soliciting a continuance of that support which we trust our efforts have already merited. That our rivals, whom we have advertised into disgraceful notoriety, will thereby succeed in getting rid of a hundred or two copies of their journal, we doubt not. But that its career will be a lengthened one, we cannot anticipate. We are too firmly convinced of the truth of the old proverb, "Honesty is the best policy," to believe that an undertaking, commenced and prosecuted in direct violation of its principles, can ever succeed with a British public. It requires no great foresight to predict, that this hopeful speculation, which began with loss of character to its originators, will end with what they probably regard as of more consequence—loss of money.

Having in this and our preceding Statements proved beyond the possibility of contradiction, that the Editor of the Foreign Review was *not* the Joint-editor of the Foreign Quarterly, but a person merely acting *provisionally*, who neither wrote a line, nor performed an atom of editorial duty in the First Number; that the greater portion of that Number was *not* contributed by his friends; and having refuted and shown the falsehood of every assertion with which this Reply attempts to bolster their cause, we have now done, we hope for ever, with the Editor and Publishers of the Foreign Review. From the new facts which we have here brought forward, it will be seen that we exercised considerable forbearance in our previous Statement; the outrageous impudence of the Reply could alone have called forth this Rejoinder. Having exhibited such proofs of the readiness of fabrication possessed by our adversaries in producing statements to meet the exigency of the moment, we think we may be fairly allowed to retire from all further contest with them, and to decline any future provocations to the exercise of our readers' patience and the waste of our own time which they may offer. "MAGNA EST VERITAS, ET PRÆVALEBIT."

30, *Soho Square, January* 12, 1828.

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I.

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Vol. I. *containing* Nos. I. & II. *in* 8vo. *price* 7*s.* 6*d. each.*

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CONTENTS of No. II.—I. Daru's History of Britanny.—II. Life and Writings of Ernest Schultze.—III. Cousin's Philosophical Fragments.—IV. Balbi's Ethnographical Atlas.—V. De Bausset's Memoirs of Napoleon.—VI. Fraunhofer on the Refractive and Dispersive Powers of Glass, and the Achromatic Telescope.—VII. Southern Germany.—VIII. Von Hammer's History of the Assassins.—IX. Dupin's Productive and Commercial Powers of France.—X. Manzoni's Betrothed, a Romance.—XI. Catholicism in Silesia.—XII. Modern German Tragedy; Klingemann's Ahasuerus.—XIII. Russian Literature.—XIV. Delambre's History of the Astronomy of the Eighteenth Century.—XV. German Pocket-Books for 1828.—Miscellaneous Literary Notices, No. II.—List of the principal Works published on the Continent, from July to October, 1827.

The following are a few of the critical opinions already given upon this Review.—

"The first number of a periodical work, exclusively devoted to the literature of other countries, has just been published, under the title of *The Foreign Quarterly Review*. The object of this undertaking appears to us to be one of no inconsiderable utility. There issue from the presses of the continent many important works, of which only a very vague and imperfect account is obtained in this country, long after they are published. There was therefore wanting a channel through which regular and accurate information of this description might be conveyed, not only to the general reader, but to those who compose the more literary portion of the public, and whose taste and pursuits make them feel an interest in the whole circle of the labours of the republic of letters. It is true that the reviews already published occasionally notice foreign publications, but this task is likely to be better executed in a work, of which that branch of literature is the undivided object. The division of labour has its advantages in intellectual as well as in other pursuits. From the slight glance which we have yet been able to take of the Review before us, we are persuaded that the expectations, which considerations such as those to which we have adverted must suggest, will not be disappointed." After noticing the two first articles, it proceeds,—"These two articles are said to be from the pens of Mr. Southey and Sir Walter Scott. The nature of the subject will sufficiently indicate to whom each respectively belongs. We have not time to say a word upon the other articles, except that, as far as we have looked at them, they deserve to be mentioned with approbation, and that when we have room we may, perhaps, return to them. The Review concludes with a very copious and useful collection of Miscellaneous Literary Notices."—*Times.*

"This work promises to fill up a blank which, with all their fitness of means and command of talent, the *Edinburgh* and *Quarterly* Reviews might have attempted in vain to occupy. Great as may have been the public expectation, (and the announcement of the work excited no slight attention,) the number now before us will not disappoint its readers. There is in every page evidence of vast resources, and extensive intellectual attainments. We recognise, if we mistake not, the descriptive beauties and masterly hand of a Scott—the high attainments and elegant diction of a Southey—and the splendid talents of the best contributors to some of our most popular periodicals."—*New Times.*

"Inasmuch as the objects proposed by the Editors of the *Foreign Quarterly Review* are in our eyes extremely valuable, we are disposed to look with peculiar favour on the bold attempt they have made to carry them into effect. The *Foreign Quarterly* is in appearance and temper a kind of twin publication with the quieter specimens of the *Quarterly* of Albermarle Street, and ought to be considered as the *pendant* of that publication. As far as the first number of a periodical is a specimen, this undertaking may be pronounced to be one of an extremely respectable description. Its contributors appear to be men of information, industry, and good sense."—*Atlas.*

"We think highly of the utility of this work, which seems to us well calculated to supply what is indisputably a desideratum in our literature. The literature of France, Germany, and other countries, which is prolific at this day beyond all previous example, undoubtedly presents a vast mass of materials for criticism and speculation. To active and inquisitive persons in Britain, it is of some importance to know how the human mind is occupied in other countries—what new ideas are thrown out—what discoveries made—and in what tract speculation runs. If the reviewer supplies us with information on these points, we are in his debt; and the general views and luminous abstracts with which he presents us are so much the more valuable, if a foreign language, or any other circumstance, deny us access to the originals. To the English reader it is of no consequence from what source the reviewers draw their materials; his only anxiety is to be made acquainted, as speedily and as early as possible, with every thing new in the world of intellect. . . . . 'Foreign Reviews' like this, will correct, though they cannot altogether remove, the inequalities in the distribution of knowledge. They will naturalize the more important truths that spring up in a foreign soil; they will point out the land-marks of research, discussion, and speculation, among our neighbours; and when they do not give minute information, they often indicate the channel through which it is to be obtained.

"The first number, now before us, of the *Foreign Quarterly Review*, affords a favourable specimen of the talents of the conductors. It is handsomely got up, so far as regards paper and type, and contains eleven articles, which are in general ably written and interesting."——"The short Literary Notices at the end, selected from the continental journals, are extremely useful, and should in our opinion be much enlarged in future numbers. Last of all comes a List of Books, nearly 400 in number, published on the continent between January last and July, which list, if continued on the same scale, will be very valuable. As a whole, the number is good, and merits every encouragement."—*Scotsman.*

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"We have been somewhat dilatory in noticing this publication, but we shall not, on that account, exert ourselves the less to do it justice, now that we have taken up the pen. Among the numerous strictures that have appeared in the columns of our contemporaries, we have not seen one decidedly hostile to the object of the work, or inclined to underrate the very splendid talents which have been put in requisition to establish it. Though we are at all times given to maintain an unbiassed opinion on literary as well as political subjects, we are glad that in this instance our judgment accords pretty nearly with that of our brethren. A periodical work, exclusively devoted to foreign literature, established on a popular basis, and supported by writers of acknowledged eminence, cannot fail to prove of immense utility."——"To conclude, we sincerely hope that the Foreign Review will obtain that hold of the public opinion which it so obviously deserves; and if the second Number does not disappoint the promise of its precursor, we shall be among the readiest of its friends to hail its appearance."—*Edinburgh Observer.*

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"We got the *second* number of this distinguished periodical last night, of course too late to present our readers with any notice of its contents. These, however, are more varied, and the articles are less lengthy than those in the first number, and so far the learned editor has adopted the only improvement we desiderated on the appearance of his Journal. We shall take an early opportunity of making our readers acquainted with the claims of the present number to their regard. In the mean time we may mention, that the editor has very satisfactorily exposed an unworthy attempt to injure him, and deceive the public, by one who has not only purloined the greatest part of the title of his work, but has actually boasted that the best contributors to it were his friends, and about to be contributors to his publication."—*Scots Times.*

"Thinking this Review an extremely useful publication, we take some interest in its success, and intended to give a brief notice of its contents. But the length to which our remarks on one article have extended compels us to postpone our general notice for the present. We shall only mention that the number contains fifteen articles, much diversified in their subjects, presenting a proper mixture of the *utile* and the *dulce*, that with one exception, they are all interesting, and all ably or respectably written.—*Scotsman.*

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☞ THE EDITOR begs to return thanks for the obliging Contributions and suggestions he has received, and will thankfully receive similar Communications, adapted to the nature and objects of this Work.

EDINBURGH, 10, PRINCES STREET, DECEMBER 1827.

LIST OF PUBLICATIONS.

I. Works already Published.
II. Works in the Press.
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AND

THE PRIZE ESSAYS AND TRANSACTIONS

OF

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IN announcing a work of this nature, it may be expedient to state briefly its design and character.

In the Northern Counties, and more particularly in Lancashire, the great arena of the Stanley exploits during the Civil Wars, —where the progress and successful issue of his cause was most confidently anticipated by Charles Stuart, and especially the scene of those strange and unholy proceedings in which the "Lancashire Witches" rendered themselves so famous,—it may readily be imagined that a number of interesting Legends, Anecdotes, and Scraps of Family History, are floating about, hitherto preserved chiefly in the shape of Oral Tradition. The Antiquary, in most instances, rejects whatever does not present itself in the form of an authentic and well-attested fact; and legendary lore, in particular, he throws aside, as worthless and unprofitable. The Compiler of the "*Traditions of Lancashire*," in leaving the dry and heraldic pedigrees which unfortunately constitute the great bulk of those works that bear the name of County Histories, enters on the more entertaining, though sometimes apocryphal, narratives which exemplify and embellish the records of our forefathers.

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